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Senate

The Senate met at 10 a.m. and was called to order by the Honorable PATTY MURRAY, a Senator from the State of Washington.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

King of kings and Lord of lords, we worship You for great is Your faithfulness. Today, show our lawmakers the way You desire for them to choose. Enable them to know with certainty that You are the God who delivers them.

Lord, inspire them to cultivate such a spirit of humility that they will obey Your commands regardless of the consequences. Let integrity and uprightness preserve them as they discover the joy of fellowship in Your presence.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 2, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PATTY MURRAY, a Senator from the State of Washington, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mrs. MURRAY thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Rupa Ranga Puttagunta, of the District of Columbia, to be Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

TRIBUTE TO BEN RAY LUJÁN

Mr. SCHUMER. Madam President, yesterday, we all received the awful and frightening news that one of our dear friends, Senator BEN RAY LUJÁN of New Mexico, suffered a stroke last Thursday after experiencing dizziness and fatigue while back in his home State. Our thoughts, our prayers, and our most fervent well-wishes go out to BEN RAY and his family.

I was glad and relieved to hear that he is expected to make a full recovery, and all of us are rooting for him every

step of the way between now and the day he makes his return to the Senate.

Senator LUJÁN has served in this Chamber for only a year, but already he has become one of the most beloved Members of this body. Public service literally runs in the family, and you will be hard pressed to find someone who fights for their home State like BEN RAY does for New Mexico.

As Senator LUJÁN begins his path to full recovery, I want to offer encouragement and praise for his superb staff, who will continue their work providing vital constituent services for the people of New Mexico.

In the days to come, we will continue working and communicating with Senator LUJÁN's staff about his recovery process, and all of us are hopeful and optimistic that he will be back to his old self before long. In the meantime, the U.S. Senate will continue to move forward in carrying out its business on behalf of the American people.

BUSINESS BEFORE THE SENATE

Now, Madam President, it is going to be another busy day here on the Senate floor as we confirm more of President Biden's nominees to serve in his administration and on the Federal bench.

For the information of all, we will be holding three votes starting around 11 a.m. this morning to either confirm or invoke cloture on a handful of nominees to serve as associate judges for the District of Columbia.

Later this afternoon, at approximately 2:15, we will hold three more votes on additional judicial nominees. Members should be advised that additional votes may be scheduled as the day progresses. So I ask all of us to be patient and to be flexible. We have a lot of votes to get through today.

Most of these votes, in the old days, would have just occurred by voice, but our colleagues on the other side of the aisle—just a handful—are making us vote even for DC judges, circuit judges. But we have to get through them—the DC courts have come to a standstill—and many other votes.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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So we will have a lot of votes to get through today. All of us want to get to them and get them done in a timely manner to respect the schedule of our colleagues.

So in order to move things along, I am urging my colleagues to be ready to vote early when each vote is called so we can prevent extended delays and confirm as many of President Biden's qualified nominees as possible.

BANNING BOOKS

Now, on book banning, an entirely different matter, over the past year a truly Orwellian trend has spread across our schools, libraries, and State legislatures. With an intensity not seen in decades, far-right extremists at the local and State level are engaging in efforts to ban hundreds of book titles from the shelves of schools and public libraries.

These efforts are framed as attempts to regulate obscene or inappropriate content, but if you even take a passing glance at the books under scrutiny, it is clear the goal here is to censor and suppress materials that deal with matters of race, sexual and gender orientation, and, more broadly speaking, social injustice.

In Texas, for instance, State legislators have been demanding that schools send lists of titles to be scrutinized and, in some instances, have already pulled hundreds of titles from their shelves, from mere fear of repercussions.

In Mississippi, one mayor withheld funding from local public libraries and said he would only relent when all books exploring LGBTQ themes were removed. That is patently disgusting.

And in Tennessee, one school even banned a Pulitzer prize-winning graphic novel depicting the Holocaust because some mice weren't wearing clothes.

These new and unprecedented efforts by the far right to ban books that explore matters of injustice and racism are deeply disturbing and downright Orwellian. Many of the titles under attack have been well known for decades. Some are Pulitzer prize-winning works. Others are—get this—children's picture books—children's picture books. The list is broad—dizzily broad. Many of these works are vital to our society because they can do only what literature can do—explore timely social issues and expand people's understanding of the world around us.

We don't need to look that far into history to see what happens when we go down the dangerous road of censorship and suppression. When free expression is weakened, the mob is empowered. The groundwork is laid for further discrimination, intimidation, and, God forbid, increased violence.

It is one thing for families and local communities to have good-faith discussions about the best way to help our students learn and grow, but what we are seeing here today isn't that. These modern-day efforts from the far right to ban hundreds of books from the top

down are dangerous, patently un-American, and this right-wing cancel culture should be resoundingly condemned.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

TRIBUTE TO BEN RAY LUJÁN

Mr. McCONNELL. Madam President, first, the entire Senate is praying for and pulling for our colleague Senator LUJÁN. We learned yesterday that our colleague suffered a stroke late last week and has been hospitalized in New Mexico as he recovers. It is certainly encouraging to read that our friend and colleague is expected to make a full recovery.

I know that all 99 of his colleagues are thinking of him every day, rooting for a swift and smooth recovery, and already looking forward to the next time we see him.

CORONAVIRUS

Madam President, this week marks 2 years since the Federal Government first declared the new coronavirus outbreak a public health emergency. I don't need to recount the staggering number of lives lost or the terrible upheaval throughout our society that our citizens have had to endure.

Two years in, it is time for leaders at all levels of our society to take a deep breath, clear the decks, and review where we stand today.

Here is what we know in February of 2022: Thanks to the prior Senate's work with the prior administration, our country is flooded with safe and effective vaccines for all who want them.

We know the vaccines do not prevent us from catching the current variant of the virus or transmitting it to others, so there is no moral justification for vaccine mandates. But it is absolutely clear that vaccines slash the odds of hospitalization and death. They are a powerful personal shield that lowers the fatal risk of COVID beneath other normal background risks that we face regularly in our daily lives.

As the New York Times explained this week, "With a booster shot, COVID resembles other respiratory illnesses that have been around for years," and "[t]he chance that an average American will die in a car crash this week is significantly higher." That is from the New York Times.

The good news goes on. As we have known for months, children are even better off still. Unvaccinated kids seem to face the same extremely low risk as vaccinated people on the younger side of middle age.

In February 2022, we know we are currently facing an Omicron variant that seems both significantly more contagious than its predecessors but also significantly less severe.

Even in hard-hit States like my own, where hospitalizations remain too high, the curve of cases and hospitalizations appears to be starting to bend back down.

I continue to encourage Kentuckians and all Americans to discuss the vaccines with their doctors and take this safe and effective step. It can be the difference literally between life and death.

But from a society-wide perspective, after 2 years on this hellish highway, it appears our country is finally arriving at the off-ramp. The virus appears to be heading endemic. Seventy percent of Americans agree with the statement "It's time we accept that COVID is here to stay and we just need to get on with our lives." It is time for the state of emergency to wind down.

But, disturbingly, whether or not we should trust the science and reclaim normalcy is somehow becoming a partisan question. As a New York Times writer observed this week, "[M]illions of Democrats have decided that organizing their lives around COVID is core to their identity as progressives, even as pandemic isolation and disruption are fueling mental health problems, drug overdoses, violent crime, rising blood pressure and growing educational inequality." Those are not my words; that is the New York Times.

For goodness' sake, nearing 60 percent of partisan Democrats told one survey they would support placing unvaccinated people under a form of house arrest.

Let me say that again. Nearly 60 percent of partisan Democrats told one survey they would support placing unvaccinated people under a form of house arrest. A supermajority of Americans oppose that absurd idea, but most Democrats say they would support it.

A majority of Americans oppose the heavyhanded vaccine mandates where mayors and local politicians are trying to substitute their own judgment for the decisions of free citizens and their doctors. A majority of Americans oppose these vaccine passports, but nearly 80 percent of Democrats want them. In communities across the country, bureaucrats are still forcing young children to wear a mask to participate in society, when neither kids nor vaccinated adults are remotely—remotely—likely to get gravely ill.

So what exactly are we doing here? Where are the goalposts? What is the end game?

Consider if this variant were its own separate virus that we were just meeting for the very first time, without the scar tissue from the prior 2 years. Nobody would accept anywhere near this much disruption to fight the virus that we are actually facing right now.

Here in Washington, multiple Congresses have spent a staggering \$6 trillion on this crisis. Of the most recent \$2 trillion that our Democratic colleagues rammed through last year, only 9 percent went to healthcare in any form; less than 1 percent went to vaccines. Even within that 9 percent, the Biden administration then diverted important COVID funding to other unrelated crises, like their border crisis.

Now we hear Democrats may request yet another—yet another—huge chunk

of emergency spending. But experts say as much as \$800 billion or \$900 billion of the money that we have already set aside has not even been spent yet. Eight or nine hundred billion of the money that we have already set aside has not been spent yet. What about a full accounting of the \$6 trillion that has already been approved?

If there are urgent needs for true, medical COVID needs, let's discuss it, and let's start the discussion by talking about repurposing the hundreds of billions that are already sitting in the pipeline.

As one report put it, "[T]he vast majority of almost \$200 billion allocated to K-12 schools has not been spent." That is \$200 billion. "The same goes for half of the \$195 billion sent out to state governments. And most city and county governments have not spent much of the \$130 billion they . . . received, either." Many States are swimming in cash and running surpluses. They have had to dream up creative non-COVID-related uses for these windfalls.

So, look, 2 years in, if Democrats call for more giant sums of emergency spending, the burden of proof lies with them to demonstrate that the hundreds of billions of dollars of unspent money already in the system are not sufficient. And unless something changes, so long as COVID continues retreating to the level of risk that we all regularly face in other aspects of daily life, then our leaders' duty to the American people is perfectly clear: Trust the vaccines, follow the data, forget the tribalism, work to assuage people's fears and neuroses with facts instead of feeding into them, and articulate your clear game plan to give the American people back their normalcy in the very near future.

UKRAINE

Madam President, on another matter, today, more than 100,000 Russian troops are holding positions along Ukraine's eastern borders. More have been deployed to Belarus to threaten Ukraine from the north. For the second time in a decade, Vladimir Putin's campaign to forcibly redraw the map of the European continent is on the verge of massive escalation.

For those of us who remember the Cold War, this strongman routine from stale Kremlin autocrats is quite familiar. But Ukraine is not a captive nation trapped behind the Iron Curtain; it is a free, democratic, and sovereign European country.

The proper response from the West should not be a mystery. The United States and our allies need to do four things right now.

First, we need to cut through the bureaucratic caution, inertia, and redtape that is slowing the delivery of military, economic, and humanitarian assistance to Ukraine. This help needs to arrive before—before—a Russian escalation so our friends can defend themselves and prepare for what could be a cold and bloody winter.

Ukraine is a proud, independent nation that wants to defend itself, but

after years of combating Russian aggression while simultaneously trying to tackle major political and economic reform, Ukraine needs help. It needs weapons. It needs communications equipment. It needs logistical and intelligence support.

We should be building the logistical networks now to prepare to keep flowing support to Ukraine in the event of escalation. I have been encouraged by the United Kingdom and other allies who are already making serious commitments to this effort.

Second, we need to bolster the defenses of our Eastern European NATO allies most threatened by Russia. This is a decision that the NATO alliance as a whole should make, but if it doesn't, the United States and other partners should not wait for consensus to act. We should strive for unity but not at the expense of security. Our most nervous allies cannot get unilateral veto power over the policy of the greatest Nation in world history.

Yesterday, I was glad to hear that U.S. forces are finally moving to reinforce our eastern flank allies. I urged President Biden to take the step nearly 2 months ago. I hope this belated action will lead other NATO allies to follow our lead.

Third, we need to impose overdue sanctions now—right now—to confront a litany of Russian threats, including their use of energy as a geostrategic weapon. At the same time, let's make clear we are prepared to impose even more devastating costs should Russia continue its aggression.

Again, we may have differences of opinion with parts of Europe, but we have priorities here that run deeper than matching our most timid allies.

As we consider sanctions, we should be honest about our past mistakes. In 2014, the Obama administration and our EU partners tried to use sanctions to halt the conflict, deter further aggression against Ukraine, and compel Russia to comply with the Minsk accords. Those sanctions are still in place, but they failed on all counts.

For Ukrainians, this is not a frozen conflict but an ongoing one. Russia's continued aggression is self-evident. Its Minsk commitments remain unfulfilled. We need to learn these lessons, avoid empty symbolism, and get ready to impose serious costs that could actually change Putin's calculus. But we also know that sanctions alone are not enough. Putin's behavior is a reminder that there is no substitute for hard power. Deterrence is stronger when our enemies question whether their military plans can succeed.

Fourth and finally, we and our NATO allies need to take a hard look at growing security threats and commit to investing in defense capabilities to actually meet those threats. This means revisiting the 2-percent pledge. It means having hard conversations about building real military capabilities.

When the Biden administration abandoned Afghanistan last year, China and

Russia were paying close attention. Now, Russia is testing our resolve in Eastern Europe, and China once again is taking notes. Our adversaries understand their best path to outmaneuver America is to outspend our commitment to defense.

So I hope President Biden will act swiftly to equip our European friends, reinforce our NATO allies, and punish Russian escalation. We must also pay serious attention to equipping the U.S. military for the next threat. It is past time—past time—to invest in modernization, hypersonic weapons, and our nuclear arsenal, and to encourage our European allies to wake up—wake up—follow our lead, and stand side by side against common threats.

The PRESIDING OFFICER (Mr. CASEY). The assistant majority leader.

Mr. DURBIN. Mr. President, I ask unanimous consent that Senators BRAUN, MURRAY, and I be able to complete our remarks prior to the scheduled votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

APPROPRIATIONS

Mr. DURBIN. Mr. President, I want to follow up on the statement made by the Republican Senate leader, and I agree with many of the things he said. We disagree with others. But there is a way for us to show our commitment not only to our troops but to the defense of causes that are important to America, and it is in his hands. It is known as the appropriations bill for the Department of Defense. It is known as the appropriations and budget for the United States of America.

Where are we now? We are on something called a continuing resolution. That means we haven't decided. We can't get an agreement from the Republican leader to move forward on the spending bills for this fiscal year, which began October 1. We are spending at last year's levels when the Biden administration has asked for more money for the Nation's defense, and who is stopping him? The Republican leader.

So he can't have it both ways and argue we need to invest more in the defense of America and then stop us from an appropriations process that does just that. Let's get it done. This should have been done before last October 1, and his cooperation means it can be done now.

Now, let me say there is another aspect to it. Many speeches are given about the rise in crime in America. I know this personally, representing the State of Illinois and the great city of Chicago. The number of violent gun crimes in this last calendar year was just shocking. When you look at all of the people who have been hurt and killed with the use of guns in cities across America, it is clear that we need to invest in our police force and law enforcement. Hold them accountable for the right values and the right conduct, but put in their hands the resources to

protect us in our homes and our neighborhoods.

What is holding that up? The same decision by the Republican leader not to bring any appropriations bills forward for approval by the Congress. This is just mindless. You can't preach on one hand that you want to fund the police and then stop the appropriations process, which the Republicans in the Senate have done.

It is time to pass the Omnibus appropriations bill so the resources are going to ATF and to the U.S. Attorney's Offices and other law enforcement agencies that can help the State and local law enforcement efforts to try to suppress this violent crime.

So don't preach about the need for this money and then turn around and stop the effort here on Capitol Hill. Why aren't we voting on an Omnibus appropriations bill this week? Why? Why can't we get this done next week? It was supposed to be done last October, and it is time for us to do it.

UKRAINE

Mr. President, let me say a word about the Ukrainian situation. I feel strongly about this. As the cochair of the bipartisan Ukrainian Caucus, I have followed for years what has been going on in that country. There is one guiding principle that we should acknowledge: The fate and future and decisionmaking for the Ukrainian people should be in the hands of the Ukrainian people—not in Washington, not in Moscow, not in Bonn, not in Minsk, but in Kyiv, and the Ukrainian people across that country should have the right to do it.

The question about their future and their solidarity and defense comes down to the fact that they were invaded 8 years ago by Russia, which took over the Crimean province and then went on to expand their military force, the little green men—the so-called little green men who are just Russian surrogates who are fighting in the eastern part of Ukraine.

Is it any wonder that the Ukrainian people look to NATO and other forces to protect them? They have been invaded. For 7 or 8 years, they have lost thousands of their citizens innocently, who died in defense of their country. For us to stand in defense of Ukraine and their efforts to make their own decisions for their future just makes sense.

Ultimately, we may have theories on what that future should be, but it is their country, they are the people who rule it, and we respect their sovereignty.

I would just say that as far as Vladimir Putin is concerned, I know his style. I have seen it for a long, long time. We see the continuing threats that the Russians have against the Baltics, for example. These are small, independent, democratic countries that fought long and hard for that opportunity, and they are constantly menaced by Vladimir Putin and his Russian forces. The same is true for Poland.

It is important that we stand behind the NATO alliance, and one way to help the NATO alliance is to pass an appropriations bill that would give our resources promised to the alliance to them, instead of being stonewalled as we have been by the Republican leadership on that matter. It is long overdue that we get to that question.

E-CIGARETTES

Mr. President, I am glad that Senator MURRAY is on the floor because the issue I want to raise now is one that she knows well, and I thank her for her leadership.

A little bit of history. In 1964, an advisory committee headed by the U.S. Surgeon General issued a landmark report linking cigarette smoking to lung cancer, heart disease, and other deadly diseases—1964. That was considered to be breakthrough information, that tobacco actually caused cancer.

For decades after that, big tobacco companies denied it. They continued to lie to Congress and to the American people about the products they were selling. Tobacco companies knowingly lied to America when they claimed their products didn't cause cancer and weren't addictive, and they lied when they said they weren't targeting children with their products.

We know they lied because a trove of 14 million internal industry documents that finally were made public in 1998 as part of the settlement of a lawsuit in Minnesota showed what the five major tobacco companies actually knew when they were making public denials.

These same documents provided damning evidence against Big Tobacco in a historic lawsuit brought by attorneys general from 46 States. Let me read you some of the things that executives of Big Tobacco said about children and smoking in their own internal memos they thought would never see the light of day:

A 1981 report by Philip Morris, creator of the Marlboro Man, said: “[T]he overwhelming majority of smokers first begin to smoke while still in their teens. . . . The smoking patterns of teenagers are particularly important to Philip Morris.”

“[T]he base of our business is the high school student.” That is from a 1978 memo from the makers of Newport cigarettes.

This is from R.J. Reynolds, the brains behind the cartoon character Joe Camel. Here is what the document said: “The fragile, developing self-image of the young person needs all the support and enhancement it can get. Smoking may appear to enhance that image.”

“Replacement smokers”—those were the repugnant words used by Big Tobacco executives to describe our kids, America's teenagers. If you can hook them young, you will have them for life—that was their game plan.

All of the tobacco industry's deadly deception about kids and tobacco was supposed to stop.

In 2009, Congress passed a landmark law giving the Food and Drug Adminis-

tration the clear authority and responsibility to regulate tobacco products. That was something Big Tobacco had fought for decades, but they lost. The Tobacco Control Act requires tobacco companies to obtain FDA approval for any new tobacco products. In a specific effort to discourage young people from smoking, the law also bans most flavored cigarettes because of their clear role in hooking kids.

When it comes to traditional cigarettes, we have made amazing strides in the time that I have served in Congress. Twenty years ago, nearly 30 percent of high school kids were smokers of cigarettes; today, fewer than 5 percent.

But tobacco companies didn't take this lying down. They came up with new products to hook kids: e-cigarettes, vaping, little gadgets that turn nicotine-spiked liquids into a vapor that is inhaled. It is powerful stuff. One pod of vaping liquid can contain as much nicotine as a whole pack of cigarettes.

They came up with flavors to entice children. Tell me—they deny it, but listen to the names of these flavors and see if they were made for kids or adults: Gummy Bears, Cotton Candy, Unicorn Poop, Fruit Loops, Skittles, Sweet Tarts. Come on. We know what this is all about. They are enticing kids to take up vaping and e-cigarettes, and it worked.

In 2014, e-cigarettes became the most popular tobacco product used by our kids. Today, nearly 30 percent of all high school students are vaping. The e-cigarette industry is now worth billions of dollars.

Who are the biggest players? Hang on tight. JUUL is the No. 1 seller of e-cigarettes. Altria, the largest seller of traditional cigarettes, bought a 35-percent stake in JUUL—Altria, buying 35 percent of JUUL. Vuse is the second largest seller of e-cigarettes. It is made by R.J. Reynolds, the producer of the Camel cigarettes, which caused my father's lung cancer. R.J. Reynolds is the second biggest seller of traditional cigarettes.

Do you see any patterns here? We all knew that Big Tobacco would try to find new ways to addict children on their deadly products. They never quit, which is why the Tobacco Control Act allowed the FDA to establish authority over e-cigarettes. But what we didn't expect was that the Food and Drug Administration would sit back as Big Tobacco dusted off its playbook to ignite what one former FDA Commissioner called “an epidemic of youth vaping” in America.

For years, teachers warned about kids using JUULs in the classroom. Parents found devices that looked like flash drives in their kids' backpacks. Even kids themselves warned about the highly addictive nature of e-cigarettes.

Many of us in the Senate demanded that the FDA take action. Senator MURRAY, the chair of the HELP Committee, has been one of the leaders of

this. Countless callers, letters, meetings with FDA Commissioners went nowhere. Testimony and alarming data from public health groups and parents yielded no action. The FDA still failed to use its existing statutory authority to police these e-cigarette products, allowing millions of e-cigarettes to flood the market illegally, while the e-cigarette manufacturers made outrageous and unsubstantiated claims downplaying their risk to kids.

In 2019, finally, a Federal judge stepped in and ordered the FDA to do its job, instructing them to finalize the review of e-cigarettes—remember this date—by September 2021, last September. The FDA's court-ordered deadline to act on pending e-cigarette applications passed nearly 5 months ago—5 months. Yet, incredibly, many of the e-cigarettes used mostly by kids—the products fueling the epidemic—are still on the market today.

The law is clear on this issue. Tobacco companies must prove—they have the burden of proving—to the Food and Drug Administration that their product is “appropriate for the protection of the public health.” Why haven't they proved it? Because they can't. There is no evidence of it. So, if they can't meet the burden of proof, how do they continue to sell these products on the open market? Meeting that burden was supposed to be a condition precedent, the first thing they had to do to sell these e-cigarettes. Well, it is because the FDA, the Food and Drug Administration, is sitting on its hands. It is refusing to use its own legal and statutory authority. Big Tobacco continues to target “replacement smokers.” Those are our kids.

The Senate is expected to vote soon on a new FDA Commissioner. In determining who that person will be, we will have the opportunity. Let me change that. We have the responsibility to make it clear that the FDA has to stop dragging its feet. It must use the authority provided by Congress to prohibit tobacco companies from preying on our kids for profit.

As Congress evaluates the nominees, we must be guided by the answer to this question: Do we believe that the incoming FDA leadership will correct the failures that have gone before them in allowing these e-cigarette companies to prey on our kids?

Yesterday, I spoke to Dr. Califf, who is Joe Biden's nominee to be the head of the FDA. I have had serious misgivings about whether he is the right person for the job, but I finally relented yesterday and said: Yes, Dr. Califf, I will support you, but if you make it, I am going to hold you personally responsible for taking control of this issue.

Our kids' lives are at stake. We have waited too long. The FDA has sat on its hands when it should be moving to protect our kids. It is long overdue. In the interest of our children, I sincerely hope that the leadership of the FDA will open its eyes and do its duty.

I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Indiana.

UNANIMOUS CONSENT REQUEST—S. RES. 494

Mr. BRAUN. Madam President, on January 22, 1973, the Supreme Court handed down their decision in *Roe v. Wade*, homogenizing an approach to abortion across the country. It is estimated that over 60 million lives have been lost to abortion since this decision.

This resolution recognizes January 22, into the future, as the Day of Tears. It encourages Americans to lower their flags to halfstaff to mourn the lives lost to abortion.

I am joined on this resolution by Senators DAINES, INHOFE, BLACKBURN, HAGERTY, LANKFORD, HAWLEY, and ROUNDS.

Similar resolutions have passed in Alabama, Arizona, Arkansas, Idaho, Louisiana, and West Virginia. Representative JODY HICE is leading a similar measure in the House. It has 51 cosponsors from 26 States.

Two weeks ago, thousands of Americans joined the March for Life to stand up for the unborn. Later this year, the Supreme Court will issue a decision on a case which strikes at the heart of *Roe v. Wade*. Our current abortion guidelines, we only have five other countries that would be similar. Two of those countries are China and North Korea. What does that say about abortion in America?

Minimally, the Court needs to return this to the States so that we don't have this policy put upon all of the States, at least half of which disagree with it. Whatever that decision may be, we must remember the millions of lives lost to the tragedy of abortion.

Madam President, as if in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and that the Senate now proceed to S. Res. 494. I further ask that the resolution be agreed to, that the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Madam President, reserving the right to object.

Just weeks ago, we celebrated the anniversary of *Roe v. Wade*—the landmark decision that affirmed the right to abortion and changed so many lives for the better.

Across the country, patients spoke out about their experiences before *Roe*—about how *Roe* meant they could get an abortion they needed or even how, after *Roe*, they still struggled to get access to abortion. But what was present in all of those stories was real fear about what the future holds—the fear of what a country without *Roe* would look like—because that is what Republicans are pushing for all across the country.

Republicans in Texas passed SB 8, which bans abortions after 6 weeks and

allows people to sue anyone who helps someone get an abortion.

In Idaho, bordering my home State of Washington, extreme Republican legislators are trying to pass a law modeled after the Texas abortion ban.

Republicans in Mississippi brought a direct challenge of *Roe* to the Supreme Court and have told the Court, in no uncertain terms, they believe *Roe* should be overturned.

Now, those are just a few examples, and we have got one more here in the Senate today.

The resolution from the Senator from Indiana sends a message that the Republican Party knows best when it comes to some of the most personal decisions people make about their health and their futures, about when and whether to have children, and about what is best for themselves and their families.

Well, they don't.

In fact, the majority of Americans support *Roe* and do not want to see it overturned. They want a country where everyone can control their own bodies and their own futures, and that is exactly what I am fighting for so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Indiana.

Mr. BRAUN. Madam President, the Senator from Washington makes the point that this is Republicans. This is not Republicans. Of course, they are for doing what needs to be done, and that is returning this to the States, minimally, taking a decision that was out of context back in 1973, when it was made.

And the opposite of the argument she made would be, Why should the Federal Government, based upon the judiciary ruling that was out of context, force this on the entirety of the country? When it comes to what it allows now—abortions late into a pregnancy—that is not supported by most of the country.

So, minimally, this ought to be returned to the States to reflect the views of the different States in this country—50 of them. Over half disagree with it, and over half of our citizens would say that it makes more sense than what we have now.

I yield the floor.

VOTE ON PUTTAGUNTA NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Puttagunta nomination?

Mrs. MURRAY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN), the Senator from Vermont (Mr. SANDERS), and the Senator from Maryland

(Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN) and the Senator from Utah (Mr. ROMNEY).

Further, if present and voting: the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The PRESIDING OFFICER (Mr. DURBIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 38, as follows:

[Rollcall Vote No. 21 Ex.]

YEAS—57

Baldwin	Hassan	Peters
Bennet	Heinrich	Portman
Blumenthal	Hickenlooper	Reed
Blunt	Hirono	Rosen
Booker	Kaine	Rounds
Brown	Kelly	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Tillis
Cortez Masto	Merkley	Toomey
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden

NAYS—38

Barrasso	Fischer	Paul
Blackburn	Grassley	Risch
Boozman	Hagerty	Rubio
Braun	Hawley	Sasse
Burr	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Cramer	Lankford	Thune
Crapo	Lee	Tuberville
Cruz	Lummis	Wicker
Daines	Marshall	Young
Ernst	Moran	

NOT VOTING—5

Hoeven	Romney	Van Hollen
Lujan	Sanders	

The nomination was confirmed. The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 556, Ebony M. Scott, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Charles E. Schumer, Gary C. Peters, Sheldon Whitehouse, Richard J. Durbin, Richard Blumenthal, Catherine Cortez Masto, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Chris Van Hollen.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Ebony M. Scott, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN), the Senator from Kansas (Mr. MARSHALL), and the Senator from Utah (Mr. ROMNEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay" and the Senator from Kansas (Mr. MARSHALL) would have voted "nay."

The yeas and nays resulted—yeas 58, nays 37, as follows:

[Rollcall Vote No. 22 Ex.]

YEAS—58

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Rounds
Blunt	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Capito	Leahy	Sinema
Cardin	Manchin	Smith
Carper	Markey	Stabenow
Casey	McConnell	Tester
Collins	Menendez	Tillis
Coons	Merkley	Toomey
Cortez Masto	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Graham	Peters	
Hassan	Portman	

NAYS—37

Barrasso	Fischer	Risch
Blackburn	Grassley	Rubio
Boozman	Hagerty	Sasse
Braun	Hawley	Scott (FL)
Burr	Hyde-Smith	Scott (SC)
Cassidy	Inhofe	Shelby
Cornyn	Johnson	Sullivan
Cotton	Kennedy	Thune
Cramer	Lankford	Tuberville
Crapo	Lee	Wicker
Cruz	Lummis	Young
Daines	Moran	
Ernst	Paul	

NOT VOTING—5

Hoeven	Marshall	Van Hollen
Lujan	Romney	

The PRESIDING OFFICER (Mr. HICKENLOOPER). The yeas are 58, and the nays are 37.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk reported the nomination of Ebony M. Scott, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 557, Donald Walker Tunnage, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for a term of fifteen years.

Charles E. Schumer, Gary C. Peters, Sheldon Whitehouse, Richard J. Durbin, Richard Blumenthal, Catherine Cortez Masto, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Chris Van Hollen.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Donald Walker Tunnage, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for a term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN), the Senator from Kansas (Mr. MARSHALL), and the Senator from Utah (Mr. ROMNEY).

Further, if present and voting: the Senator from North Dakota (Mr. HOEVEN) would have voted "nay," and the Senator from Kansas (Mr. MARSHALL) would have voted "nay."

The yeas and nays resulted—yeas 57, nays 38, as follows:

[Rollcall Vote No. 23 Ex.]

YEAS—57

Baldwin	Hassan	Portman
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Rosen
Blunt	Hirono	Rounds
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	Menendez	Tester
Coons	Merkley	Tillis
Cortez Masto	Murkowski	Toomey
Duckworth	Murphy	Warner
Durbin	Murray	Warnock
Feinstein	Ossoff	Warren
Gillibrand	Padilla	Whitehouse
Graham	Peters	Wyden

NAYS—38

Barrasso	Boozman	Burr
Blackburn	Braun	Cassidy

Cornyn	Hyde-Smith	Rubio
Cotton	Inhofe	Sasse
Cramer	Johnson	Scott (FL)
Crapo	Kennedy	Scott (SC)
Cruz	Lankford	Shelby
Daines	Lee	Sullivan
Ernst	Lummis	Thune
Fischer	McConnell	Tuberville
Grassley	Moran	Wicker
Hagerty	Paul	Young
Hawley	Risch	

NOT VOTING—5

Hoeven	Marshall	Van Hollen
Lujan	Romney	

(Mr. WHITEHOUSE assumed the Chair.)

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 57, the nays are 38.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Donald Walker Tunnage, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for a term of fifteen years.

The PRESIDING OFFICER. The Senator from Michigan.

JUDICIAL NOMINATIONS

Mr. PETERS. Mr. President, I rise today to urge my colleagues to confirm several highly qualified nominees to serve on the local District of Columbia courts—the DC Superior Court, which functions as the State-level trial court, and the DC Court of Appeals, which serves as the State-level appellate court right here in our Nation's Capital.

Both courts are currently suffering from a vacancy crisis. There are 16 of the 62 DC Superior Court seats that are currently empty, and 3 of the 9 seats on the DC Court of Appeals are also vacant, slowing justice and impeding public safety for all District residents.

Last year, the Committee on Homeland Security and Governmental Affairs reported seven nominees to serve on the DC courts by a bipartisan voice vote. These include five nominees to serve on the DC Superior Court—Rupa Ranga Puttagunta, Kenia Seoane Lopez, Sean Staples, Ebony Scott, and Donald Tunnage—and two nominees to serve on the DC Court of Appeals—John Howard III and Loren AliKhan.

Judge Puttagunta currently serves as an administrative judge for the DC Rental Housing Commission. She began her legal career as a law clerk in the DC Superior Court and the DC Court of Appeals and practiced for several years in the District of Columbia, focusing on family and criminal law. I am certainly pleased that my colleagues confirmed her earlier today.

Judge Seoane Lopez currently serves as a magistrate judge on the Superior Court of the District of Columbia, a position that she has held for 9 years. She previously served as a bilingual attorney negotiator in the court's domestic violence division and as an assistant

attorney general for the Office of the Attorney General of the District of Columbia.

Judge Staples also currently serves as a magistrate judge for the District of Columbia Superior Court, a position he was appointed to in 2013. Early in his career, he served as a law clerk on the superior court and then worked as a solo practitioner and an assistant public defender. He went on to work as a clinical professor for several years, supervising law students representing criminal defendants in DC Superior Court.

Judge Scott has served as a magistrate judge on DC Superior Court since 2020. She previously served as a deputy director in the DC Mayor's Office of Legal Counsel as general counsel for the District of Columbia Office of Human Rights and the assistant attorney general for the DC Office of the Attorney General's housing and community justice section.

Mr. Tunnage has served as a criminal trial attorney in the Civil Rights Division of the U.S. Department of Justice since 2009 and previously served as an assistant public defender in Miami, FL.

Loren AliKhan has served as the solicitor general for the District of Columbia since 2018. She previously served as deputy solicitor general and spent time in the U.S. Department of Justice and in the appellate practice division of a DC law firm.

John Howard III currently serves as an administrative law judge with the District of Columbia Office of Administrative Hearings. He previously worked in private practice and served as an administrative law judge with the District of Columbia Commission on Human Rights.

All of these nominees are experienced lawyers and adjudicators, and all of them are dedicated to serving the people of the District of Columbia.

These are not controversial nominations. Unlike Federal judicial nominees, these individuals are extensively vetted by an independent, seven-member local commission, which recommends candidates for the President to nominate.

During the last administration, the Senate confirmed 10 local DC judicial nominees, all by voice vote.

I urge my colleagues to join me in confirming these nominees, each of whom has broad and strong bipartisan support.

Thank you.

The PRESIDING OFFICER. The Senator from Texas.

ISSUES FACING AMERICA

Mr. CORNYN. Mr. President, during the last break in our voting schedule here in Washington, DC, I was grateful to have the time back home talking with my constituents about the challenges they are facing on a day-to-day basis and, like we all, I think, try to do, figuring out how we can be helpful to them here in the Senate.

I must note that there is usually a huge disconnect between what seems to

obsess the news media and folks living in the bubble of Washington, DC, and what I hear from my constituents back home, and this time wasn't much different.

When I was back in Austin, I received a briefing on the ongoing pandemic response efforts. Like the rest of the country and the rest of the world, COVID-19 hasn't gone away, and we are trying to slowly but surely both adapt and deal with the pandemic.

Thanks to an overwhelming response by the Federal Government initially back during the Trump administration, during Operation Warp Speed, we have access to vaccines on the fastest timeline that we have ever seen. Medical science and pharmaceutical companies and the government came together to produce effective and safe vaccines at a historic rate of speed. But even as the virus itself has morphed, as viruses, I understand, will likely do, we still continue to need things like personal protective equipment and additional tests and antibiotics treatments for people in my State.

Ironically, President Biden ran in large part in 2020 based on the COVID response of the Trump administration and, as we all recall, was pretty harshly critical. But now he seems to have changed his tune. When asked about things like access to testing, he says: Well, those are really State responsibilities.

Well, passing the buck is a familiar pastime here in Washington, DC, but I don't think anybody is fooled that this is an area where the Federal Government continues to play an essential role. Yes, our State leaders have done by and large, I think, a good job in their respective jurisdictions. The fact of the matter is, we still need a plan to deal with the testing and the ongoing effects of COVID-19.

Interestingly, people who wanted to get access to things like therapeutics, anti-viral drugs, and monoclonal antibiotics were told that the Federal Government would not allow the States to use those particular modalities anymore because the Federal Government had made a decision that this was not effective against the current strain. But, as we know, this virus continues to mutate. We are hoping that we don't go all the way through the Greek alphabet in various forms of this virus, but the fact of the matter is, I think we have all now gotten a little glimpse out of what Washington-run healthcare would look like, starting with rationing based on decisions being made in Washington, DC, about what should be available to people when they get sick or when they see their doctor.

I believe that those decisions are best left to individuals, in consultation with their healthcare provider to make those decisions. But we have gotten a little bit of a glimpse when Washington says no monoclonal antibiotics anymore, no therapeutic anti-virals because they don't work against the current strain of COVID-19, the Omicron.

As I said, the virus is probably not going to stop mutating, and unfortunately, I think the Federal response—rationing access to these therapies and treatment—could well backlash on the government.

I am appreciative of the dedicated work of all of our frontline healthcare workers. As we all know, they have been pushed to the limit, dealing with COVID-19. They are exhausted and, in many instances, burned out.

There are not enough frontline healthcare workers currently. What that means is that many hospitals and healthcare providers have to contract with nursing services, which really are national organizations that hire nurses and then contract out as needed to local hospitals. What that usually means is, because there are not enough local nurses available at the going rate, they have to contract for prices for those nursing services that are many multiples of what ordinarily they would have to do, causing a lot of pain and strain on healthcare providers across Texas and across the Nation.

On my travels, I went to Fort Worth, where I visited with the University of North Texas Health Science Center to discuss legislation that I have introduced, along with Senator LEAHY, a senior member of the Judiciary Committee, called the Justice for All Reauthorization Act. As the name suggests, this is a reauthorization of very important tools that are needed at the local level to support victims and deliver justice and avoid wrongful convictions.

This really focuses on the use of forensic techniques to test DNA and other samples—for example, in a rape kit, which is collected following a sexual assault, by a forensic nurse examiner who can collect a rape kit. Assuming it is done properly and it is provided to a lab that performs the appropriate test, you can identify with almost 100 percent certainty who the assailant is or was. So it is really important for us to make sure those tools remain available, including eliminating further that rape kit backlog.

It used to be that the rape kits were not tested when the identity of the assailant was not in question, because, in fact, many times the identity of the assailant is known to the victim of that assault. But, as we found out, the power of these forensic tests is immense. And we can rule out somebody based on the DNA test. We can identify people who have perpetrated multiple sexual assaults because many of these sexual assault predators are serial offenders. And what we found out is even when the statute of limitations has run, let's say, against a particular sexual assault, many times you will be able to identify with virtual certainty the individual who committed a subsequent sexual assault for which the statute of limitations has not run. So that remains very, very important.

In Houston, which is, we like to say, the energy capital of the world, I sat down with leaders to discuss legisla-

tion that I have introduced with Senator COONS, the Senator from Delaware, to expand the use of hydrogen technologies in energy-intensive sectors. Hydrogen is a unique energy source. As a matter of fact, Toyota, I believe, has developed a fuel cell technology where, if you use hydrogen in the fuel cell, you will not only get propulsion of a vehicle, you will actually get water out the tailpipe. So it is very clean, and it is very safe.

But the problem is, of course, the expense of this new technology and trying to get it used in places where it makes the most sense because the infrastructure is critical both for the storage and the delivery of the hydrogen for use in these energy-intensive sectors.

Texas is already the epicenter of energy production. We believe in all of the above when it comes to energy, and these investments in new clean energy like hydrogen can help us grow and diversify our State's energy portfolio even further while continuing to reduce emissions in many sectors that are currently big emitters of carbon and other emissions.

So it was great to be back home, as I know we all feel when we get back home, and to listen and to learn from your constituents—not just the official talking points and the subjects that are always on cable news or social media but about the challenges and the needs and the hopes and the dreams of the people we represent, real people, the 29 million people I am privileged to represent in the Senate from Texas.

We also hear about some of their problems that they are dealing with like inflation, and we are hearing more about rising crime. And my constituents are looking to Congress for some leadership and some action. They want to see clear and decisive steps made to address the problems that Texas families confront on a regular basis. But, as I said, there isn't a whole lot of overlap, it seems, with the agenda here in Washington by the current majority in the House and the Senate and the priorities of my constituents back home.

So the debates in Congress have largely been detached from their reality. It is like living in an alternate universe, where we spend more time talking about manufactured crises or political agendas than solving real problems.

This year, it began with the \$2 trillion partisan spending bill. Our colleagues abused the rules of the Senate to pass this legislation without a single Republican vote, and clearly they were hooked because partisan legislating became the rule and not the exception last year. Our colleagues scheduled votes on legislation that would exploit the cause of pay fairness in order to help trial lawyers, even though wage discrimination based on sex has been illegal for nearly 60 years.

They scheduled a number of votes on varying versions of legislation to hijack America's elections because of an

alleged voting rights crisis, even though last November 2020 94 percent of respondents to a Pew poll said it was either easy or very easy to cast a ballot in the 2020 election.

Now, I had an interesting exchange with the majority leader on this. I actually had a chart that talked about that Pew poll. And he said: Well, yeah, we agree everything was hunky-dory in November 2020, but then it all went down the tubes when States began passing new election laws.

But I pointed out to him—or I asked him: Well, what is your primary concern?

He said: Well, ballot harvesting.

He thought that there ought to be more permissive ballot harvesting than is allowed in some States. But he didn't talk about the things like eliminating voter ID or making it harder to protect the integrity of the ballot by making sure that the person, whether they were mailing in their ballot or whether they were voting in person, was who they say they were and legally entitled to vote. But, again, we spend a lot of time on those multiple attempts to pass that takeover of State-run and local-run elections.

And then there was the so-called Build Back Better bill. I am sure that was focus group-tested so that it would be appealing to people who maybe didn't know exactly what was in it, but then we found out that it was massive tax increases and massive spending at a time when inflation was as bad as it has been in my lifetime and where the dollar earned by working families goes less and less far and, in fact, diminishes their standard of living because of the effect of inflation.

So the BBB bill—some have called it Build Back Better; I prefer “Build Back Broke” or “Build Back Bankrupt”—which clearly would have thrown gasoline on the problem of inflation, along with raising taxes and depress our economy and job creation, it was so expensive and unnecessary that our colleagues couldn't get all 50 Members of their own conference on board.

And that is what happens when you have a 50-50 Senate with the Vice President breaking a tie. This isn't exactly like FDR's New Deal, where he had huge majorities and could basically move the country in any direction he wanted. What you would ordinarily think with a 50-50 Senate is that requires bipartisan consensus building, not trying to go it alone in a purely partisan manner. And it is no surprise that it wasn't successful.

Well, obviously, economists have something called opportunity cost, and what that means, as I understand it, is that if you are choosing to do one thing, that means there are other things that you necessarily cannot do, and that is an opportunity cost.

And one of the obvious costs to the American people is the border crisis

that has seen more than 2 million individuals encountered at the southwestern border. It is no secret to anybody that the drugs—including fentanyl, methamphetamine, and cocaine, just to mention a few of the drugs—that took the lives of 100,000 Americans last year through drug overdoses, virtually all of those come across the southwestern border.

And the cartels are not dumb. They are actually pretty shrewd. And they figured out that if you flood the zone, you flood the border with massive numbers of unaccompanied children and other vulnerable people, that the Border Patrol will have to leave their station on the border keeping the drugs and the cartels at bay, and that opens up huge avenues of opportunity to smuggling drugs illegally into the United States, in addition to the billions of dollars that they earn bringing people into the United States from more than 150 different countries.

I know most people who don't live in a border State or who haven't been to the border, they think, well, these are economic migrants from Central America. That seems to be what the Vice President, who has been designated as the "immigration czar," so to speak, by President Biden, what she seems to think. And, frankly, from the comments of the President himself, he doesn't understand the dynamic at the border.

But, in reality, what Secretary Mayorkas, at the Department of Homeland Security, and the Biden administration have done is to lay out the red carpet for human smugglers and drug smugglers and migrants coming from around the world. Early on in the Biden administration, I went to the Del Rio Sector of the Border Patrol, and they told us that people who they detained had come from more than 150 different countries.

So this is really a global phenomenon based on how much money you have and how much you are willing to spend—to the smugglers—to get into the United States. And, again, for everybody whom we have no record on, we don't know whether they have been sex offenders; we don't know whether they have been murderers or committed other crimes back in their home country. And we also know that, occasionally, we do catch people who have been deported from the United States because of criminal offenses who then come back into the United States because of the opportunities provided by the lack of border controls.

This doesn't take into account all of the people whom the Border Patrol calls the "get-aways." In other words, we know how many people turn themselves in and try to take advantage of the asylum system by flooding our immigration courts and creating a huge backlog and then melting into the great American landscape, but there are people who do penetrate our borders that the Border Patrol never encounters, and so it is really hard to

know precisely what they are up to. But I can assure you, based on my observation and experience, they are up to no good if they are avoiding the Border Patrol.

Well, in trying to be constructive, which I believe in trying to do—Washington, DC, can be a pretty tough place, and for sure there are going to be things we disagree on, but there are also opportunities to do things on a bipartisan basis. So seeing what was happening at the border, I reached out to another border State Senator, Senator SINEMA from Arizona; and she and I both reached out to a Congressman from Laredo, TX, Congressman CUELLAR, and Congressman TONY GONZALES—CUELLAR, a Democrat, and GONZALES, a Republican.

So we had, literally, a bicameral, bipartisan effort to come up with a piece of legislation that we thought that, assuming the administration wanted some help, this might be a good place to start. It is called the Bipartisan Border Solutions Act. But I am sorry to report that the administration—indeed, the Democratic leadership, particularly on the Judiciary Committee that has jurisdiction over immigration matters—has shown absolutely zero interest in any kind of measures to stop or to reduce the flow of migrants into the United States and solve this problem.

Well, obviously, crime is still a big problem in America, and the border is part of the problem because of the unrestricted flow of people coming across the border. But we know last year, in 2020, murders—that is 2 years ago now, 2 calendar years ago now—murders rose by nearly 30 percent from the year prior, the largest single-year increase on record. So crime has definitely spiked, for whatever reason, and requires a forceful and effective response. We are still waiting on data from 2021, but so far the picture doesn't appear to be much brighter. A number of major cities have experienced their deadliest years on record.

And Americans are taking notice. A poll in November found that more than half of those surveyed believe local crime has gotten worse—a 13-point jump from the previous year. Concerns about national crime rates are even higher. Nearly three-quarters of Americans who were polled believe that crime is up nationally, and they are not wrong.

This, of course, is bad news for our families, our communities, our businesses, and especially for our dedicated law enforcement officials. Within a 5-day span just last week, five Harris County police officers—that is Houston, TX—as well as a police canine officer were killed or injured. During a 5-day span, five were killed.

An officer was shot and killed during a traffic stop. One was killed during a hit-and-run while off duty. Three officers were wounded in a shootout, and a police canine was stabbed with a butcher knife.

Amid this surge of crime and concerning acts of violence against law enforcement and civilians, there is a clear need for Congress to step up and act. We need to pass legislation to ensure that our police forces are well funded, transparent, and held accountable. Unfortunately, this is not a priority for the majority party. The radical left and their base want to defund the police, and most Democrats seem to be intimidated about speaking up and speaking for their constituents when it comes to stopping or abating these crimes.

As I mentioned, families are also being pummeled by the highest inflation in 40 years, and we have all seen prices going up everywhere, from the gas pump to groceries, to cars, to clothes.

Business owners, of course, have been hit with a double whammy, as supply chain issues have made it even more difficult and costly to produce and sell and ship their products.

As I mentioned, gas prices are perhaps the most easily identified area where inflation is eating away at people's paychecks. Drivers are now spending 50 percent more today than they were a year ago on a gallon of gas.

That is not just the big, headline-grabbing crises the Biden administration has failed to address.

The national defense authorization bill is one of the best examples of what we should do here in the Senate—an example of bipartisanship. A version of this bill has passed every year for 61 years, and, last summer, things appeared to be on track, even ahead of schedule. The Armed Services Committee passed a national defense authorization bill by a vote of 23 to 3. You don't get more bipartisan than that.

Unfortunately, for some reason, the majority leader refused to bring the defense authorization bill to the floor and left the bill to collect dust on the Senate calendar before moving it. When he finally allowed it to come to the floor in late November, he tried to limit the normal amendment process by blaming the calendar. But to no one's surprise, that created a lot of issues and a lot of consternation. You simply can't sit on a bipartisan bill for months and then claim there is no time for a robust amendment process.

But eventually the Senate did pass the Defense authorization bill before the end of the year. But we can't get in the habit of delaying bipartisan bills in order to meet a partisan agenda.

Then there is government funding. We are more than a year into the Democratic-controlled majority controlling the government and not a single regular appropriations bill has passed. Our colleagues have kicked the can down the road.

Mr. WHITEHOUSE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator yield for a question?

Mr. CORNYN. As soon as I am through with my remarks, I will be glad to yield.

Mr. WHITEHOUSE. That was the question—how soon that might be, given that we have a 2:15 vote coming up.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. So our colleagues kicked the can down the road when it came to keeping the lights on in the appropriations process in September and December, and now it looks like they are poised to do it again and will not meet the February 18 deadline.

So with the focus on partisan politics rather than bipartisan opportunities, our colleagues in the majority have simply ignored the basic responsibilities of governing. They put the demands of partisanship ahead of the needs of the American people. Rather than reevaluate the strategy and perhaps make a course correction, our colleagues have doubled down. They scheduled another vote on their partisan election takeover bill. And when it failed, they attempted to blow up the rules of the Senate to create an easier pathway to purely partisan legislation.

So there is a massive disconnect between what Democrats in the majority have been trying to accomplish here in Washington, DC, and what the American people are telling me—particularly my constituents—that they actually need.

Families in Texas are struggling to pay their gas and grocery bills, and they are worried about the increase in violent crime. But our colleagues are trying to convince them that they are wrong and that what is important is a Federal takeover of State-run elections and to provide additional tax breaks to millionaires and billionaires from blue States by lifting or eliminating the cap on deductibility of State and local taxes, as they attempted to do.

So a lot of the time we have had this last year—the opportunity to pass good and meaningful legislation—has been lost, and thus the opportunity cost of this partisanship is things that really would make a difference and improve the lives of ordinary Americans.

The American people are not asking for a radical transformation of the country. That was pretty clear by the 50-50 Senate that they elected in 2020, as well as a bare Democratic majority in the House. They want safe communities. They want an affordable standard of living. They want secure borders. They want the right to decide what is best for themselves and their families and not be dictated to or mandated by the Federal Government.

So I continue to hope that our Democratic colleagues will abandon partisanship and use the remainder of this year to support what the American people actually want and need.

Mr. President, I would be glad to yield for a question.

Mr. WHITEHOUSE. No. My question was, simply, how long the Senator was going to proceed, given that the schedule for my remarks was at 1:35. So no further questions. I apologize for inter-

rupting. I was just trying to sort out the timing.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am not very happy to be back with my trusty and somewhat battered “Time to Wake Up” poster. Almost exactly a year ago, I delivered what I hoped would be my last “Time to Wake Up” speech and took the poster off the floor.

Things looked good then. The conditions for climate progress were in place. Voters had elected a Democratic President and Democratic majorities in both Houses of Congress. So the malicious grip of the fossil fuel industry on the Republican Party was no longer a stopper.

President Biden ran on a fact-based, uncorrupted climate agenda, and many in our congressional majorities campaigned on climate action. We had reconciliation to work with, and work began on a serious climate bill.

Actually, after I stopped these speeches, the Smithsonian asked me if they could have this old poster. It is the most used poster in Senate history, it turns out. And I came pretty close to turning it over to them, but something made me hesitate. And, well, here it is back again.

We just aren’t making progress, not by the only measurement that matters: greenhouse gas emissions. We are 1 year in—with no bill, no carbon regulation, and no litigation—and look at the climate havoc.

Scientists reported that global temperatures registered between 1.1 and 1.2 Celsius above average in 2021. That is among the hottest years ever observed by human beings, and it is dangerously close to our safety ceiling of 1.5 degrees Celsius. And we are here despite 2021 being a La Nina year, when cold Pacific water usually cools global temperatures. The last 7 years are the 7 hottest years in recorded history.

Republicans may mock and disparage this, but they are paid agents of the polluters causing this. And they are wrong.

In past speeches, I have described how our oceans absorb a massive amount of the heat that is trapped by greenhouse gas pollution. It is the heat equivalent of multiple Hiroshima-sized nuclear bombs being set off in the ocean every second—multiple Hiroshima-sized nuclear devices’ worth of heat per second that we are adding to the ocean.

In the last three decades, our oceans warmed eight times faster than preceding decades. And it is so massive that it has its own measurement term: the zettajoule. The top 2,000 feet of ocean absorbed a record 227 excess zettajoules of energy in 2021.

So what is a zettajoule? Well, a half zettajoule—a half zettajoule—is the total annual energy consumption of the planet. That little line right down there represents a half zettajoule—the

total energy consumption of planet Earth, all humans. And here is the heat that that loaded into the oceans because of the amplification of greenhouse gases—227, one-half—so about 500 times as much heat going into the oceans as our entire energy heat spend as a species.

And ocean temperatures are, of course, now the hottest ever recorded. The excess heat means dying coral reefs and lost fisheries with acidified seas. It means higher sea levels, as heated water expands; and more severe storms, as heated waters supercharge storm systems, including the sort of thunderstorm complexes that spawned Midwestern tornadoes in December.

Republicans may mock and disparage this, but remember: They are paid agents of the polluters causing this. And they are wrong.

This costs lives and dollars. The United States suffered 20 separate billion-dollar weather disasters in 2021—almost 700 deaths and \$100 billion of damage. The year before, we had hit \$22 billion disasters: tropical cyclones, coastal floods, western wildfires. The most spectacular fire didn’t actually even make it on to this list because it ripped through more than a thousand homes and businesses in suburban Denver in December. That fire didn’t even make it onto this top disasters list.

The Pacific Northwest heat wave of June 2021 smashed all records. A town in normally temperate British Columbia saw 116-degree temperatures, beating the previous Canadian national record by 3 degrees. The next day, the thermometer hit 118 degrees; the day after that, 121 degrees. And the day after that, a wildfire burned the town to the ground.

In Washington and Oregon, temperatures shot off the charts. These graphs show maximum daily temperatures in Seattle and Portland. The dots on these charts that form this gray band represent every daily maximum temperature reading over the last 42 years—over 15,000 data points. The red dots here and here reflect for Seattle and for Portland those days—way beyond the norms.

These temperatures aren’t just uncomfortable. They are lethal. Research shows more than 600 excess deaths during the June heat wave in Washington and Oregon. Those 600 people aren’t even counted in that storm death toll I mentioned before.

So why aren’t we doing anything about it? Two primary reasons: fossil fuel obstruction and corporate indifference. To be blunt, the fossil fuel industry controls the Republican Party the way a ventriloquist controls a painted wooden dummy, and the rest of corporate America lets them get away with it.

The fossil fuel obstruction isn’t new. They have been at it for decades. Dozens of colleagues have joined me here on the Senate floor, exposing the web of climate denial the industry wove to perpetrate their obstruction.

The fossil fuel industry is still at it. They have just changed it up a bit. They can't debate the science anymore, and they can't argue against the urgency, but they can still write checks. They can fund phony front groups and fill Republican campaign coffers.

And though they can't sell climate denial, they can buy climate delay. They can hire the biggest PR and advertising firms around—like Edelman, IPG, WPP—to pollute our minds with slippery greenwashing, like they pollute our skies and oceans with their carbon emissions.

Here is an example of this stuff in action. Type “fossil fuels” into Google, and this is the slick, phony paid-for result you get—a fossil fuel giant saying it is “already a willing and able player in the energy transition, read more.”

The Guardian and watchdog group InfluenceMap exposed how fossil fuel PR companies cook up these ads designed to look like Google search results. “Don't do anything, we've got this” is their Big Lie message of these ads. The watchdogs call this “endemic greenwashing.”

The industry doesn't just lie and pay politicians; fossil fuel companies also use trade associations and dark money front groups to whip up opposition to climate legislation.

Coal-heavy electric utilities and their dark money cohort mobilized against the Clean Electricity Performance Plan that would have helped decarbonize the power grid. Republicans did their bidding.

The American Petroleum Institute and other fossil fuel industry groups fight paying a price on methane emissions from their oil and gas facilities. They want to pollute for free, knowing full well the harm. Republicans do their bidding.

The CEO of that 800-pound, climate-obstructing gorilla, the U.S. Chamber of Commerce, said the group would “do everything [it] can to prevent” Build Back Better and its climate provisions from becoming law. Republicans do their bidding.

These groups spent millions on political ads. They unleashed a deluge of lobbying and campaign contributions. They are almost certainly behind big super PAC spending. They pull out all the stops. And against them in corporate America to push back against the polluters stands who? No one. Corporate CEOs talk a big game about decarbonizing their supply chains and transitioning to renewables, and they wield enormous influence in Washington when they want to, but here in this building, where the legislative rubber hits the road, corporate America has been totally, utterly, completely MIA on climate.

One set of lobbyists even told my staff that once the corporate tax stuff they cared about got squared away in Build Back Better and was taken off the table, they didn't want to “rock the boat” by supporting climate provisions, even though they are provisions

the company publicly claims to support.

Not one corporate trade group is lifting a finger here in this building on climate—not the banks, despite their own warnings of an economic crash; not the insurance companies, despite the huge checks they write for climate disasters; not Big Tech; not Big Pharma; not anyone.

The fossil fuel industry has its choke chain around the Republican Party so tight that industry folks have told me they are scared to press for climate measures, that they might be punished by Republicans working for the fossil fuel industry—punished on the tax and deregulatory and business stuff they really care about. So they are not here. They just aren't.

The frustrating thing is that there actually is a way to get to a safe place, to get to where we can hold warming below 1.5 degrees Celsius. The key policy is a border-adjustable price on carbon. To get to safety, we need to do more than just that, but there is no pathway to safety without that. It is the necessary but not sufficient safety measure.

Take a look at this chart. This was prepared in conjunction with the White House and the leader's office. A lot of eyeballs have looked at this.

The green line here is business as usual. We do nothing, and carbon emissions do mostly nothing.

This next line down, the orange line, represents our emissions trajectory if we pass the Finance Committee's clean energy tax credit package. That gets us to here.

The gray line right below it, the third one down here, is if we could pass a clean electricity standard.

The yellow one here is the emissions trajectory if we do both of those things, both the tax credit package and a clean electricity standard.

This one—light blue—is a carbon price alone. By the way, it is a modest carbon price that starts at only \$15 per ton in 2023 and increases to \$70 per ton in 2032 and doesn't cover unleaded gasoline at all.

The dark blue line here, the safest line, is all those policies together. To get to safety, we must deploy all of these policies.

The more policies you have, the deeper the emissions reductions, the better the chance of safety. But the center pole in the climate policy tent is a carbon price. Pricing carbon reaches every corner of the economy, which will be all-important when the power sector has switched to zero-carbon generation and we need to remedy other polluting sectors.

A carbon price fuels innovation. Suddenly, every carbon-reduction strategy has a revenue proposition—no more government-chosen winners and losers.

A carbon price raises investment. Growing a low-carbon economy will take trillions in job-producing investment, maybe about \$575 billion a year from now until 2050. Carbon pricing

sends an investment market signal and produces revenues to support those billions of dollars in private job-creating investment.

A carbon price is exportable through a border adjust that will keep China and others from cheating.

Last, a carbon price helps to unravel what the International Monetary Fund says is a \$660 billion annual subsidy propping up fossil fuels in the United States. Do you want to know why the fossil fuel industry can so easily corrupt American politics? That is your answer. That is 660 billion answers. A \$660 billion subsidy every year is one hell of a motive.

Once your policies are assembled surrounding the carbon price, you then need a battle plan and the leadership to carry it out. We cannot win legislative victory without setting the conditions for victory. We are up against a fossil fuel armada of dishonest PR campaigns, phony front groups, co-opted trade associations, fake science, and political dark money. We cannot overcome the corrupting forces of the fossil fuel industry without sound countermeasures.

Step one is what I am doing here—call out the dark money mischief of the fossil fuel industry. It is a compelling story, actually, and people—voters—don't like being lied to, especially not by big, corrupt, polluting interests. They have been lied to for decades, and they need to know that. If we all exposed the fossil fuel industry pattern of deception the way we years ago exposed as fraud the tobacco industry's pattern of deception, that would open up real political space for the kind of legislative progress the times demand.

Over in the House, Representatives MALONEY and KHANNA are on the case. They are investigating. Hearings are underway. Let's support and amplify them.

Next, stop the flow of polluter dark money into our politics. In politics, money corrupts, and dark money corrupts absolutely.

Next, rally the rest of corporate America to the banner. If they are too chicken to go first and face the risk of Republican punishment on the stuff they really care about, join together. They can't punish everyone. Corporate America is actually rich enough, if it wanted to, to buy the damned fossil fuel industry, fire the crooks and the PR firms, shut off the money to the front groups and the trade associations, and clean up the industry from the inside. But corporate America not only doesn't do that, it does nothing here in Congress.

However we go, we have to get going. Either we act now or we pollute our way to oblivion. Either we summon a serious response or we “meh” our way to catastrophe. Either we enact a serious effective climate bill or we lose our chance at a safe climate pathway. I will promise you, that will earn the merited disgust of future generations.

We have a moment here to measure up to. We are failing catastrophically,

and we are failing for the worst and smallest and most dishonorable of reasons. So when we reignite work on a real climate bill, when we are starting to see real administration climate progress, I will see about sending this battered poster over to the Smithsonian, but if we don't, I will be back here again and again and again to call this Chamber to wake up.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Ohio.

Mr. PORTMAN. I ask unanimous consent that Senators BLUNT, BLACKBURN, and I be permitted to speak for up to 5 minutes each prior to the scheduled vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

BORDER SECURITY

Mr. PORTMAN. Madam President, I am here today to discuss the crisis at the border. Unfortunately, it is not getting any better. In fact, it is getting worse by any measurement. The flow of illegal drugs and illegal migration continues to surge.

As the lead Republican on the Homeland Security and Governmental Affairs Committee, I recently traveled to the U.S.-Mexican border in Nogales, AZ, just south of Tucson, to learn firsthand from Border Patrol and Customs officials and Border Patrol agents who are on duty 24-7 trying to protect our Nation from illicit narcotics, unlawful immigration, and terrorism.

It was my third trip to the border in the last year, and, like other trips, what I saw was alarming. Officials at the port of entry told me about the increasing and more sophisticated efforts to smuggle illegal and deadly drugs into the United States. They showed me some of the x rays that have been taken of some of the vehicles where the smugglers are cleverly hiding these illicit narcotics into compartments.

By the way, this is deadly stuff. This is mostly now the illicit drug called fentanyl, which is a synthetic form of opioid that, according to the Centers for Disease Control, is probably killing two-thirds of the people who are dying from overdoses. The number of overdose deaths in this country is at record levels. During the year of 2021, we believe it is going to exceed 100,000 individuals—record levels.

So why aren't we scanning more of these vehicles for drugs and other contraband? The best numbers we have are that, currently, less than 2 percent of the passenger vehicles and less than 20 percent of the commercial vehicles coming into the United States are scanned for illegal drugs like this deadly fentanyl we talk about.

That is just unacceptable. A smuggler with multiple pounds of fentanyl concealed in hidden compartments needs to know that there is no chance of getting across our border without some kind of search. It is not just a gap in our security; it is a gaping hole in our security, and it is resulting in lives being lost in my home State of Ohio,

where we have a big issue with opioids, and also all across America. In a sense, every State is a border State now.

Last year, Customs and Border Protection seized nearly 10,000 pounds of deadly fentanyl. That is a 40-percent increase from 2020. But, as officers on the line told me when I was down there recently, most of it is getting through.

A year ago, Congress mandated that the Department of Homeland Security give us a plan and a strategy to scan all vehicles at the ports of entry for deadly narcotics such as fentanyl. Unfortunately, even with this crisis that demands these new approaches, the Biden administration has failed to deliver this report, which was due more than 6 months ago. Let's get that report done. Whether it is crystal meth or cocaine or whether it is fentanyl—sometimes pressed into pills to make it look like something else—it is flowing across the southern border. Let's have a plan to stop this.

We also face challenges between the ports of entry. In Nogales, the Border Patrol agent in charge rode with me to look at the border. What he described was an overwhelming, recordbreaking number of unlawful migrants and a recordbreaking number of drugs like fentanyl and these other drugs coming into the United States. He talked about the urgent need for more Border Patrol agents to be able to cover the border; new vehicles—vehicle maintenance is a huge issue for Border Patrol right now; and technology, particularly cameras and sensors.

There is a lot of discussion here always about the wall, but what is really important about a fence or a wall is the technology that goes along with it. When the Biden administration came in and they stopped construction of the wall, what they really did was they stopped the technology.

In the El Paso Sector where I have been, as an example, only about 10 percent of the technology had been completed for the fence that was being erected there. So they stopped building the fence—and you can see all the metal on the ground, which is very demoralizing for the Border Patrol because they have to fill the gaps 24-7 or figure out other ways to stop people—but most importantly, only 10 percent of the technology had been done, and they cut off all of that. We have already paid for it, by the way. Taxpayers have paid for all of that.

My thinking is, Democrats and Republicans alike talk about the need for technology—this is, again, monitors of some kind; there are various kinds out there that are very effective—cameras, and the ability to respond quickly.

I toured the border area that had huge gaps in the fencing, too, which I don't get. Why would you want to spend all this money to build the border barriers and then leave the gaps in the middle? I saw broken areas of fencing that need repairs. I saw the need for new fencing in some areas.

I walked up to one large gap only several miles from the city of Nogales.

There is 15- to 20-foot fencing on either side of this gap, and then there is about 40 feet with just a four-strand barbed wire fence to keep cattle from coming into the United States and vice versa. So that is where human smugglers go. They know about these gaps.

I saw lots of evidence of foot traffic, lots of plastic bottles and plastic bags discarded in the area from migrants who crossed right there.

Leaving these gaps is one of the reasons we face a crisis.

We just learned in December that the Border Patrol apprehended more than 170,000 unlawful migrants in December. That is the highest number ever in December. And the Biden people say: Well, this is seasonal so it will stop in December and January because it is colder and people aren't going to go or when it is really hot in July and August. That has not happened.

For the first time ever, we see a continual flow of people. It is not slowing down at all. These dramatic increases in unlawful entries and illegal drugs in the last year are clearly due to the policy changes, again, that were put in place on day 1 of the Biden administration—not just fewer deportations and a more lax approach to immigration generally but a specific issue of stopping the installation of this technology and fencing.

Also, they made a major change immediately with regard to asylum policy. So now people know if they claim asylum, they will be released in the United States pending a court date, which, on average, is going to be 5 or 6 years away. They say the backlog is at least 1.3 million people now—the backlog.

Now, is there any wonder that when people come to my home State of Ohio or go to my colleague's State in Missouri or go to Nevada, with 5 or 6 years ahead of them, that it is sometimes not possible to find them when the court date comes up, and that is happening, obviously, increasingly.

So we need a policy that just makes sense, that doesn't tell the smugglers, hey, if you get somebody in the United States, you can tell them that they can get in; they can work; they can get their kids in school. And that is what the smugglers do to people all over the world. It is not just Central America. In fact, there are more people coming from Ecuador now than there are from Honduras. I am told in the last week there were five Syrians who were apprehended coming across the border.

It is a lot of people from around the world who are being told by these smugglers who are exploiting them and their families, hey, just come on with me, and we can get you in. Pay me 10,000 bucks or whatever it is. That is one reason we have right now this pull factor because of a policy issue we have got to address.

The administration also chose to end the "Remain in Mexico" policy, which says to people, hey, you can come and apply for asylum, but you have got to

wait over in Mexico until we adjudicate this. That discouraged a lot of people. A lot of folks went home because they were trying, obviously, to come to the United States, but that policy was ended.

But, generally speaking, the right policy is adjudicate these cases immediately. Let people know, we don't want to have a 1.3 million backlog of people in the United States, 5 or 6 years waiting for a court case. It just doesn't make sense.

Anyway, with these policy changes since the President's inauguration, the southern border has faced the worst unlawful migration crisis in decades and the worst drug crisis ever. To help the Border Patrol do their job, we are working on bipartisan legislation to increase the number of agents, address retention challenges of the existing workforce, and respond faster to these humanitarian crises that come up by doing things like having a Border Patrol reserve that can respond to surges.

I am always impressed with the men and women of Customs and Border Protection and the Border Patrol that I meet on my trips. They have tough jobs right now—really tough jobs. A lot of them are overworked. A lot of them are being pressed into doing processing and other things that they weren't hired to do or trained to do. It is tough. And we are making it even tougher with policies that we are putting out here in Washington.

The ongoing crisis is clear and persistent, no longer seasonal. I urge the Biden administration to change course, stop the policies that send the green light to these human smugglers to be able to exploit migrants and families from all over this hemisphere and elsewhere now and stop giving a green light to the drug traffickers. Instead, provide Congress with a plan to deter illegal immigration, to detect and deny deadly drugs from crossing our border. America's national security depends on it. American lives depend on it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. The ability to secure your border—to follow my good friend from Ohio, the ability to secure your border is actually one of the fundamental responsibilities of a legitimate government.

Even former President Obama, within the last few months, has looked at what was happening at the border, and I believe the word he used was "unsustainable." We cannot continue to let this happen. It is a border crisis, whether the administration is willing to call it a border crisis or not.

There are drugs coming across, and I know my friend from Tennessee is going to talk about that, as the Senator from Ohio did. More than 2 million people were apprehended trying to cross the border last year. Of that number, more than 171,000 were unaccompanied children. The year before it had been 37,000. In 2020, it was 37,000 people.

It should have been a warning sign. Thirty-seven thousand children is bad enough, let alone 171,000—almost four times the number who came the year before.

We need to ask ourselves, what are we doing to encourage that? Why would parents let their children come or send their children or why would children come on their own to the border at the numbers of 171,000?

Obviously, we don't know exactly how many people actually entered the country illegally. So if 2 million people were apprehended entering the country, some of them may have been making repeat efforts to come into the country, but there is no real evidence that very many people get sent back, but let's assume some do.

So some of the apprehended people may have been multiple offenders, if you will, of trying to violate our law by coming in. I think it is more reasonable to believe that more people weren't apprehended than were apprehended multiple times, so we have a huge problem here.

The policies have already been discussed. Why would the number—just over 2,035,000 last year—be 272 percent greater than the year before?

Things happening in the countries they come from aren't different, substantially, than they were the year before. The weather is not in crisis in any way different than it was the year before.

So let's look at day 1 of the Biden administration, where one of the first decisions is, we are going to stop building the barrier that is in the process of being built—not we are going to debate whether we should do more of it or not, but we are going to stop building the barrier that Congress has appropriated the money for, that the equipment has been bought for, that the necessary metal and fencing and other things have been bought for, and they are delivered, and after we get that up, let's decide if we need to do more.

I have never been of the view that every inch of the border needs to have a barrier, but I have always been of the view that a barrier or a fence or a wall, whatever you want to call it, has to be helpful, particularly if it has the technology that was going into this fence.

So, you know, just watching that great investment that the American people made sit there and not be completed is a problem. Some wall and fence had been torn down already so the new wall and fence could be put back up. We have areas that don't have the kind of fence they had 5 years ago or 10 years ago or under the Clinton administration because we said, no, we are just going to stop doing what the Congress has already provided money and the authority to do.

And then the "Remain in Mexico" policy, which, frankly, I thought was one of the most amazing things that our government got the Government of Mexico to agree to. It was a major step on their part to help us not only secure

our border but discourage people from needlessly coming all the way through Mexico. You know, most of our immigrants are not Mexican immigrants anymore; they are Central American immigrants; they are the immigrants whom others have talked about today from all over the world. But they come through Mexico, and Mexico doesn't like that either.

So why would "Remain in Mexico" work? "Remain in Mexico" was working because people, when they see that they are not going to be let loose in the United States or delivered somewhere in the United States and told to come back in 90 days or 5 years later, when they see that is not going to happen, and they talk to anybody who understands the law, 9 out of 10 of them know that they have no chance for an asylum claim.

And they are in Mexico. It is not that they have no chance for an asylum claim and they have arrived and been taken somewhere in the United States and told to return at a later date. It clearly just did not work. The "Remain in Mexico"—we could have put more money there. In fact, we put quite a bit of money there but then walked away from the facilities that were just about to begin to serve the purpose in the way that the American people—the most generous people in the world about people coming to our country and some of the, I think, most liberal immigration laws in the world for legal immigration.

We could have made an investment so that people could have safely and securely understood that you are not going to be able to advance this asylum claim.

The easiest thing in the world to do is show up at the border and say we are claiming asylum. The U.S. Government sends you somewhere in the United States to wait and come back later for a hearing. Now we see people—single adults—getting on planes in the middle of the night and being flown to other airports and getting off in the middle of the night.

I have even heard—surely this can't be really accurate—that you are told to use your arrest papers as your identification to get on the plane. If we have come to the point where our border policy is use the arrest papers to get on the plane so wherever we take you, you are able to then be part of our society until somebody catches you and tells you, you can't be part of our society, it is a huge problem.

The border is out of control. There is clearly a border crisis. I am a major supporter of legal immigration. I am a major supporter of kids who were brought here by their parents illegally, grown up in America and not gotten in trouble. I think they should be able to stay, and we should want them to stay.

I am not a supporter of this blatant violation of the law and sending a message to the whole world, here is how you get done what you want to get done, even though it is against the

laws of the United States to do what we are clearly helping you do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, it was such a joy to be in Tennessee last week and visit with so many of our local officials, and I had the opportunity to spend some time with some of our sheriffs. And one of the sheriffs made a point that I think deserves attention in this body today.

He said: Marsha, for years, we have measured the drugs we have apprehended in grams or ounces, but today everything is in pounds. That is the uptick in volume that our local law enforcement is seeing in our communities.

Now, the question is, Why is this happening? How is it that so much more is getting across that southern border? And my colleague from Ohio and my colleague from Missouri have each mentioned the problems that exists there—no “Remain in Mexico,” no wall.

And we are at a time here in this country where our supply chains are really being stressed, but the supply chains of the cartels seem to be doing just fine. Fortunately, our Border Patrol has been able to cause some blips and some problems with those supply chains, and they have been able to apprehend some of the drugs coming across our border.

In January, in a period of 7 days—1 week—our Border Patrol caught 47 pounds of methamphetamine in California, 3,800 pounds of marijuana in two raids in Texas, and 20 pounds of cocaine in Texas.

The street value was about \$7 million that they pulled off of the street, but this is, unfortunately, a blip for the cartels—just a blip on their radar. These thousands of pounds of drugs are a footnote in the long history of the “got-aways” and the drug mules who keep these cartel supply lines flowing from South and Central America and into the United States.

Now, as my colleagues have said, until this administration decides they want to get serious about protecting our Nation’s sovereignty and securing this southern border, this is going to continue.

Now, what does this cause in our country? What it means is every town is a border town, and every State is a border State. Until the Biden administration decides they are going to get serious on that border, it means that your town will function like a border town, your State like a border State. Nashville, Knoxville, Memphis are all experiencing some of the same problems that you are seeing on our Nation’s borders.

And whether the State is Maryland or Wisconsin or Nevada, whether these are other States—Illinois, Colorado—what you are seeing are these problems that are brought about by an open border: gangs, cartels, human smuggling, sex trafficking.

So I would ask my Democratic colleagues, and I would hope they would ask the President: Where else do they think these thousands of pounds of drugs are being headed?

That is right. It is a rhetorical question, but they are coming to your neighborhoods, and your local law enforcement agencies are going to find themselves dealing with this.

Now, the Biden administration has said, repeatedly, that they want to focus their border policy on finding the root causes of illegal immigration. So Vice President HARRIS recently took her second trip to the Northern Triangle so she could try and figure out what the root causes are.

But while she is there and meeting with diplomats, the cartels’ drug trade, along with their human trafficking trade, is booming. It is booming. The number of apprehensions across this southern border are at an alltime high.

And as my colleague mentioned, the “got-aways”—the hundreds of thousands of “got-aways,” the hundreds of thousands of “got-aways” that are now in your communities—the hundreds or maybe even thousands of pounds of different drugs are coming into your communities.

We have been down this road before. We have made investments in the Northern Triangle to try and beat back the poverty, the corruption, and we are having the same problems. They are the same that they were years ago.

There is no buy-in on a policy. The only buy-in that this administration has managed to earn is the buy-in of corrupt officials and drug lords who have invested in our wide-open border.

Why is it that you have to pay the cartel to come in? Why is it that the cartels are moving these sex trafficking rings onto U.S. shores? Why is it that the cartels are setting up distribution centers in our cities? It is because this administration has that border wide open, and they see the opportunity to make big bucks, to really enrich themselves.

How can we expect to fight corruption when we encourage them to set up these business operations?

I would encourage my Democratic colleagues to take a look at the numbers that are coming from that southern border, look at numbers that were there from 2021, look at the numbers of not grams and ounces but pounds of illicit drugs that are being apprehended, talk to their local law enforcement about what they are finding on their streets, and then ask themselves: Are you doing everything you can to keep our communities safe? Are you doing everything that you can to keep our children and our grandchildren safe in their communities?

If you had to answer that question today, if the administration had to answer that question today, the answer would be an emphatic, no, they are not because the border is open. That policy is failing the American people; it is failing our communities that are truly

struggling to keep drugs out of the hands of kids; and it is failing the thousands upon thousands of people who took you at your word—and then you have seen this border turned over to the cartels.

I yield the floor.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Lopez nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Kenia Seoane Lopez, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

VOTE ON LOPEZ NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Lopez nomination?

Mr. CARDIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN) and the Senator from Utah (Mr. ROMNEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted “nay”.

The result was announced—yeas 59, nays 38, as follows:

[Rollcall Vote No. 24 Ex.]

YEAS—59

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Rounds
Blumenthal	Kaine	Sanders
Blunt	Kelly	Schatz
Booker	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Sinema
Capito	Manchin	Smith
Cardin	Markey	Stabenow
Carper	McConnell	Tester
Casey	Menendez	Tillis
Collins	Merkley	Toomey
Coons	Murkowski	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Osoff	Warren
Feinstein	Padilla	Peters
Gillibrand	Peters	Wyden
Hassan	Portman	Young
Heinrich	Reed	

NAYS—38

Barrasso	Fischer	Moran
Blackburn	Graham	Paul
Boozman	Grassley	Risch
Braun	Hagerty	Rubio
Burr	Hawley	Sasse
Cassidy	Hyde-Smith	Scott (FL)
Cornyn	Inhofe	Scott (SC)
Cotton	Johnson	Shelby
Cramer	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tuberville
Daines	Lummis	Wicker
Ernst	Marshall	

NOT VOTING—3

Hoeven Luján Romney
 The nomination was confirmed.
 Mr. DURBIN. Madam President, may I make an inquiry of the Chair?
 How long was that last rollcall?
 The PRESIDING OFFICER (Ms. BALDWIN). Approximately 55 minutes.
 Mr. DURBIN. Can the Chair report the last Senator who voted?
 The PRESIDING OFFICER. The Chair does not have that information.
 Mr. DURBIN. Thank you, Madam Chair.
 The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will immediately be notified of the Senate's actions.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Staples nomination, which the clerk will report.
 The senior assistant legislative clerk read the nomination of Sean C. Staples, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

VOTE ON STAPLES NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Staples nomination?
 Mr. DURBIN. I ask for the yeas and nays.
 The PRESIDING OFFICER. Is there a sufficient question?
 There appears to be a sufficient second.
 The clerk will call the roll.
 The legislative clerk called the roll.
 Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) is necessarily absent.
 Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN) and the Senator from Utah (Mr. ROMNEY).
 Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."
 The result was announced—yeas 59, nays 38, as follows:

[Rollcall Vote No. 25 Ex.]

YEAS—59

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Rounds
Blumenthal	Kaine	Sanders
Blunt	Kelly	Schatz
Booker	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Sinema
Capito	Manchin	Smith
Cardin	Markey	Stabenow
Carper	McConnell	Tester
Casey	Menendez	Tillis
Collins	Merkley	Toomey
Coons	Murkowski	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Ossoff	Warren
Feinstein	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Portman	Young
Heinrich	Reed	

NAYS—38

Barrasso	Fischer	Moran
Blackburn	Graham	Paul
Boozman	Grassley	Risch
Braun	Hagerty	Rubio
Burr	Hawley	Sasse
Cassidy	Hyde-Smith	Scott (FL)
Cornyn	Inhofe	Scott (SC)
Cotton	Johnson	Shelby
Cramer	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tuberville
Daines	Lummis	Wicker
Ernst	Marshall	

NOT VOTING—3

Hoeven Luján Romney

The nomination was confirmed.
 The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.
 The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 613, John P. Howard III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.
 Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Gary C. Peters, Robert P. Casey, Jr., Sheldon Whitehouse, Martin Heinrich, Sherrod Brown, Patty Murray, Tammy Duckworth, Tim Kaine, Elizabeth Warren, Mazie Hirono, Alex Padilla, Tina Smith, Christopher A. Coons, Amy Klobuchar, Jon Tester.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.
 The question is, Is it the sense of the Senate that debate on the nomination of John P. Howard III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years, shall be brought to a close?
 The yeas and nays are mandatory under the rule.
 The clerk will call the roll.
 The bill clerk called the roll.
 Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.
 Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN) and the Senator from Utah (Mr. ROMNEY).
 Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 62, nays 34, as follows:

[Rollcall Vote No. 26 Ex.]

YEAS—62

Baldwin	Hawley	Portman
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Rosen
Blunt	Hirono	Rounds
Booker	Inhofe	Sanders
Brown	Kaine	Schatz
Burr	Kelly	Schumer
Cantwell	King	Shaheen
Capito	Klobuchar	Sinema
Cardin	Lankford	Smith
Carper	Leahy	Stabenow
Casey	Lummis	Tester
Collins	Manchin	Tillis
Coons	Markey	Toomey
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Hassan	Peters	

NAYS—34

Barrasso	Fischer	Rubio
Blackburn	Grassley	Sasse
Boozman	Hagerty	Scott (FL)
Braun	Hyde-Smith	Scott (SC)
Cassidy	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lee	Thune
Cramer	Marshall	Tuberville
Crapo	McConnell	Wicker
Cruz	Moran	Young
Daines	Paul	
Ernst	Risch	

NOT VOTING—4

Hoeven Menendez
 Luján Romney

The PRESIDING OFFICER (Ms. SMITH). On this vote, the yeas are 62, the nays are 34.
 The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.
 The bill clerk read the nomination of John P. Howard III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.
 The PRESIDING OFFICER. The Senator from Alabama.

SCHOOL CHOICE

Mr. TUBERVILLE. Madam President, my colleagues across the aisle spent the first part of this year laser-focused on voting rights and the filibuster. Democrats at all levels, including President Biden, spoke of nothing else, claiming that this was the most important issue facing Americans and that the future of our country was at stake. But this was not a righteous crusade; it was a march into complete delusion—a message completely out of touch with the struggles of real Americans.
 While Democrats lectured, Americans confronted reality. Across the country, inflation is squeezing paychecks, and COVID cases are skyrocketing. These are the issues that families are focusing on. Omicron's surge has sent students home from classrooms and back in front of computer screens. This is where parents' minds have been these last few weeks—not on Senate rules, not on the filibuster, but on their children's educations because when parents think

about the future of our country, they think about their children and the opportunities that they will have and that all starts with education.

During my four decades of coaching, I saw firsthand how education provides an unparalleled opportunity to uplift students from all different backgrounds, races, and religions. Education is the key to opportunity and freedom. It empowers students to create futures for themselves, to make better lives for themselves. It is a way to achieve the American dream. In short, education is our country's future. Ensuring the next generation receives a quality education is the most important investment—the most important investment—we can make in the future success of our country.

But before I talk about where we should go when it comes to education, it is important to note where we are today in education.

Right now, the United States of America is slipping. It is slipping in the classroom. When it comes to our global standing, we are 37th in the world—37th in the world—in math, and we are 13th in the world in reading. Just over half of the young people in our country today can read over the sixth grade reading level. That is simply not good enough for the most powerful country on the face of the Earth. Our students are falling behind.

At no time was this more important than in the last 2 years. COVID turned our living rooms into classrooms, bringing lesson plans to kitchen tables in homes all across the country. This gave parents a front row seat to what their children were and were not learning, and many parents did not like what they saw. Students weren't being taught how to think; they were being taught what to think. This shift from what is right to what is "woke" has startled parents, but it was also startling for parents to see what isolation did to their developing children.

As kids saw less of their friends, they retreated into darkness. Rates of depression and anxiety rose dramatically. Since the start of the pandemic, hospitals have seen more mental emergencies among kids than in the history of our country. In young girls, the suicide rate has jumped over 50 percent compared to the prepandemic levels—50 percent.

While we are nearly 2 years into the pandemic, the digital divide still creates profound roadblocks in learning for many children who lack access to rural broadband and even a laptop. Learning by low-income and minority students was disrupted the most by school closures.

The pandemic compounded existing problems in our education system, and every child has felt the effects of this pandemic from not having been in the classroom, but it has also highlighted a key piece of the educational puzzle: parents. Parents are the key to education for our kids. Parents realized the power of their collective voices

during the pandemic, and they are using it to advocate for improvements in the education of their kids in the classroom. Time and time again, we have seen parents stand against restrictive mandates and unnecessary school shutdowns.

Now, as we look toward the future of education, we need to remember what the pandemic taught us—that one size does not fit all. It rarely works, and it certainly does not work in education. That is why, moving forward, when we talk about education, we will have an opportunity to revisit the conversation about the importance of choice. Parents know their child best. They understand the unique needs of their children and can serve as the best advocates for those needs, especially now that the needs may be different than they were 2 years ago, before COVID.

A child's education shouldn't be defined by their ZIP Code or financial limitations. A child and their parents should have a choice about education. School choice increases options through vouchers or tax credit scholarships, allowing parents to select the best learning environment for their child. School choice breaks down barriers and allows the funds to follow the student.

School choice embraces the truth that different children learn in different ways and in different environments, whether it be in a charter school, a public school, a private school, or a home school. There are school choice successes, and there are stories everywhere we look.

Just take this story about a young man from Alabama. His name is Nicholas West. Without Alabama's tax credit scholarship, Nicholas and his brothers would have had no option but to have attended a high school that they were zoned for, which was a school that was unable to deliver the individualized instruction that they needed. Thanks to the school choice programs, Nicholas and his brothers were able to thrive in different learning environments based on their unique needs and interests. By being in an environment that set him up for success, Nicholas was able to earn college credits during high school, and he went on to start his own business upon graduating from high school.

I believe that this country owes you one thing: It owes you an opportunity. Yet what you do with that opportunity is up to the individual. For Nicholas, he used this opportunity—presented to him through the school choice—to tap his full potential. It makes sense that we should increase access to the opportunities for young men and women just like Nicholas. We must deliver the same opportunities to other students who have skills and drive but who need a path forward.

Alabama is making strides in opportunity and creation. Charter schools continue to grow in popularity in our State. Last year, enrollment increased over 65 percent—the second highest en-

rollment percentage in the Nation. If I sound like I am proud of the steps Alabama has taken to ensure we give our students opportunity, I am. I believe other States can learn from the emphasis Alabama has put on "choice."

As we learn more about how the pandemic has impacted students, educational choice will become that much more important. In fact, choice may make all the difference. When we look forward and discuss the future of our country, we have to get back to talking about education. The future of our country depends on the educational opportunities we make available to the next generation.

That is why I am proud that the resolution I helped to introduce, to recognize National School Choice Week, passed the Senate last night. I am glad my colleagues recognize how important it is to encourage parents and students to explore all available educational opportunities.

Conversations about the importance of school choice should continue to drive our priorities throughout this year. If we join together to make that commitment, our future for this country and our kids in this country will be much brighter.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

UNANIMOUS CONSENT REQUEST—S. 2132

Mr. BRAUN. Madam President, last year, I introduced a handful of bills that would help the IRS do its job better. One of those bills is called the IRS Customer Service Improvement Act. This bill simply says that IRS staffers cannot perform any union tasks during the tax season, which seems to make sense. It doesn't keep them from doing it through the rest of the year. It is just not during the busy tax season.

According to the Treasury, in fiscal year 2019, 1,400 Treasury employees used over 350,000 hours of taxpayer-funded union time. It cost \$17 million. Of course, that is kind of like chump change in this day and age. Back in Indiana, \$17 million is a lot of money. It should be everywhere. Of these employees, 350 of the jobs were IRS customer service representatives and 204 were IRS agents. The American public deserves out of our Agencies, I think, service better than that.

We can debate how much money the IRS needs to do its job, but we need commonsense policies like this to where we are not trying to restrict what already, to many, would seem unusual—that when you are on the dime, when you are being paid by the Federal Government, you maybe shouldn't be able to do union activities at the same time. Anyway, a lot of things don't make sense here. This will immediately add value to the American taxpayer.

The IRS is warning Americans to prepare for delays and long hold times when filing their taxes this year. I would say that most folks would say that you need improvement.

Here are a couple of other particulars: They received more than 100 million calls but only answer 1 out of 4. Calls averaged 18 minutes of hold time. In my own business, if you add 18 minutes of hold time, you just gave the order to one of your four or five competitors. None of us likes that.

Face-to-face assistance declined from 4.4 million in fiscal 2016 to only 1 million in 2020. The IRS is now telling us to buckle up for service even to get worse.

Let's use some common sense. Before you raise prices in a business or you ask your customers to even be more forbearing when you are delivering bad service, your competitors would take you out. Here, in the Federal Government, you don't have that kind of inherent competition, and, sadly, the public—American taxpayers—have to put up with it. And when your default position is always to spend more money, I know the American public is interested in something better than this. Sadly, for whatever we do that is above and beyond the ordinary, we were borrowing 23 cents of every dollar we spend here. Now it is up closer to 30 cents, and it is in the context that we are \$30 trillion in debt to boot.

This is something, what I am proposing here, since it doesn't eliminate your ability to do it, let's just take it out of the tax season.

Madam President, as if in legislative session, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 2132, and that the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Madam President.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, reserving the right to object, I certainly agree with the proposition that was advanced by my colleague to improve service at the Internal Revenue Service. The fact, however, is the effect of this proposal is to demean IRS workers and distract from the real challenges facing the IRS. And the real challenge can be embodied by the fact that, for years and years, my colleagues on the other side of the aisle have been squeezing and downsizing critical enforcement services at the IRS to the point where the wealthy cheats basically can get a free ride. They can get a free ride.

About the other day, in the context of talking about tax cheats and wealthy partnerships that aren't getting audited, I said the chance that they are going to be subject to real enforcement, when they are a wealthy tax cheat, is about the same likelihood of being hit by a meteor, and it is because of these policies that have been downsizing resources at the IRS to deal

with these wealthy tax cheats for years.

Now, Commissioner Rettig, who is a Trump appointee—an appointee of former President Trump—recently said there are fewer auditors to deal with these wealthy tax cheats today than at any point since World War II.

So they have got that challenge, and then they have an enormous IT challenge because the IRS, by their admission, is still using some systems that are practically dated back to the Dark Ages.

According to the National Taxpayer Advocate, during the last fiscal year, the IRS received a record 282 million customer service phone calls and, with limited staff, was only able to answer 11 percent of them. Commissioner Rettig told the Finance Committee, in a remarkable statement, that it was his opinion that the amount of taxes that go unpaid each year could now be as high as a trillion dollars.

To just wrap up, I want to describe how this all is connected. My colleagues on the other side of the aisle have repeatedly attacked the IRS. They cut, they squeeze, and they have constantly reduced the IRS budget. Wealthy tax cheats are out basically celebrating the decline of real tax enforcement. Law-abiding Americans—the vast majority of Americans—are, of course, frustrated by the declining customer service.

So then we have our colleagues on the other side of the aisle attack the IRS, and the cycle just repeats: more cuts, less enforcement targeted to wealthy tax cheats, and, unfortunately, inadequate customer service. That has been the pattern now for decades.

In my view, this is a gift to tax cheats and an annual headache for just about everyone else.

There is no question the pandemic—and this has been true for every aspect of government—has brought new challenges, just like it has for every business, every school, every government agency around the country. And, in my view, instead of misplacing what the target really ought to be, which is inadequate resources so we can't go after the wealthy tax cheats, somehow we are hearing that it is the workers, these union members, who are at fault. That is not my take.

For the reasons I have outlined, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. BRAUN. Madam President.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Briefly, respecting what the Senator says about wealthy tax cheats, I agree with him 100 percent. Everybody should pay their fair share. But I guarantee you, there wasn't one wealthy tax cheat that was on hold for 18 minutes. They are not calling in. They hired a lawyer or somebody to do it.

This is impacting Americans, mom-and-pop business owners, folks who

just need to talk to someone. It is not a wealthy tax cheat who would have made 1 of 100 million calls. They don't do that. There is another way to go after that.

All I am saying is, during the busiest time of the year, let's take the resources that we have got, whether they need to be enhanced or not, and let's let them focus on the job of answering the phone and not making a small taxpayer suffer. They are the ones wrestling with the IRS by numbers, not wealthy tax cheats.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. WYDEN. Madam President, I ask unanimous consent that notwithstanding rule XXII, at 6:30 p.m. tonight, the Senate vote on the cloture motions with respect to Executive Calendar Nos. 614, 644, 649, 627, 616, 473, and 474; that at 12:30 p.m. tomorrow, Thursday, February 3, the Senate vote on the cloture motions with respect to Executive Calendar Nos. 495, 496, 673, and 654; further, that if cloture is invoked on any of these nominations, the Senate vote on confirmation of the nominations at a time to be determined by the majority leader, or his designee, following consultation with the Republican leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

HUNTER BIDEN

Mr. GRASSLEY. Madam President, this week, news reports made public a May 2019 subpoena from the Justice Department. That subpoena requested financial records relating to Hunter Biden as part of the Department's criminal investigation into his activities.

Notably, that subpoena also requested records relating to James Biden, Devon Archer, and Eric Schwerin. That subpoena sought records relating to companies that Senator JOHNSON and I discussed in our Biden report.

If the reports are accurate, this subpoena is yet another stake in the heart of a totally unsubstantiated claim made by the liberal media and Democrats that the Grassley-Johnson report on Biden was Russia disinformation.

Today, I come here to speak about a matter directly related to the recent news—specifically, the Biden Justice Department's failure to answer fundamental questions related to Hunter's criminal investigation.

I have asked serious ethical questions of the Justice Department that the Department so far has refused to answer. In fact, the Department has actually publicly contradicted itself.

Just one example of contradiction: On May 31, 2021, Senator JOHNSON and I wrote to Attorney General Garland. Our letter noted that Hunter Biden had a close association with Patrick Ho, an individual who is associated with the

communist Chinese Government and its intelligence services. Patrick Ho was also charged and convicted of international bribery and money laundering offenses relating to his work for companies connected to that communist regime.

After his arrest, his first call was reportedly to James Biden, President Biden's brother. Hunter Biden reportedly represented Patrick Ho for \$1 million.

In our letter, we noted that a Justice Department Federal court filing said DOJ had FISA information on Patrick Ho. Not only did they possess this information, the Department informed the court that they intended to use it to prosecute that person.

Senator JOHNSON and I asked the Justice Department for that FISA information as well as FISA information for other Chinese nationals linked to Hunter Biden. In response, I quote the Justice Department:

Unfortunately, under the circumstances described in your letter, we aren't in a position to confirm the existence of the information that is sought (if it exists in the Department's possession).

Now, get that—"if it exists in the Department's possession."

Simply put, that is not a true and accurate statement unless the Department's statement to the Federal court in the Patrick Ho matter wasn't true and accurate.

So, then, as we naturally followed up, on November 15, 2021, we asked Attorney General Garland to explain the discrepancy. No response to this very day.

Both statements can't be true. Either the Department possesses the information or it doesn't possess the information.

So we can legitimately ask Attorney General Garland again: What is your answer?

Now, this doesn't end there with that question. On February 3, 2021, and March 9, 2021, Senator JOHNSON and I asked Attorney General Garland if Nicholas McQuaid is recused from the Hunter Biden criminal case. Now, this McQuaid works in the Department's Criminal Division but worked with Hunter Biden's criminal attorneys before joining the Department. This poses a clear conflict of interest. Attorney General Garland has refused to answer to this very day.

On June 29, 2021, Senator JOHNSON and I asked Attorney General Garland whether Susan Hennessey, a National Security Division employee, is recused from the Durham investigation. Before working for the Department, she made negative comments about the Durham investigation.

In Attorney General Garland's July 13, 2021, response letter, he failed to answer our questions. However, at the Senate Judiciary Committee's oversight hearing October 27, 2021, the Attorney General said she "has nothing whatsoever to do with the Durham investigation."

Although this statement doesn't fully answer our questions, such as

whether she has been formally recused from the matter, it is more than what we were provided in the Department's letter response.

Likewise, the Justice Department said that Margaret Goodlander "has no role in Mr. Durham's investigation." She is married to Biden's National Security Advisor, Jake Sullivan. Sullivan worked for the Clinton Presidential campaign. While there, he peddled the false Alfa-Bank story about the Trump Organization having a secret back channel to this Russian bank. Those false allegations were reviewed as part of Crossfire Hurricane.

Now, with all that said, let's take stock of where we are. On the one hand, Attorney General Garland has publicly said Susan Hennessey and Margaret Goodlander have no roles in the Durham investigation. On the other hand, Attorney General Garland refuses to say the same for McQuaid and the Hunter Biden criminal investigation.

So we can really ask, "Why is it that way? Why won't the Attorney General say that McQuaid has no role in the criminal case involving the President's son?" because this is a fundamental ethical question.

Our letters have provided Attorney General Garland the opportunity to hit the ball right out of the park. Instead, he doesn't even try to make a swing.

What is the Biden Justice Department hiding? This blatantly inconsistent treatment has cast a cloud over Hunter Biden's criminal case.

Just imagine if this fact pattern had evolved between President Trump and his sons. The media would have gone nuts over it. You wouldn't hear the end of it—also from my Democratic colleagues here in the Senate. Yet not a sound from them, not a peep.

The American people are rightly skeptical of how the Justice Department is handling the Hunter Biden criminal investigation. And the secrecy and the lack of public transparency will only increase the skepticism that the American people have.

So I and Senator JOHNSON won't stop doing good government oversight on this issue. The American people deserve answers, one way or another.

COUNTERFEITS

Madam President, on another point and a shorter point, I would like to take a moment to update my colleagues on a bill that I introduced in 2021 designed to fight counterfeits.

As we all know, counterfeits are a threat to the U.S. economic and national security interests. Most counterfeits originate in China, one of our largest competitors. Counterfeits are dangerous to consumers. And, lastly, counterfeits rip off American ingenuity and result in billions of dollars in losses.

For these reasons, Congress must ensure the Federal Government arms its partners with the tools and the resources that these people need to combat the bad guys who sell these fake goods.

My bill has the number S. 1159, and it does just that. It gives the partners the tools and resources they need to combat the bad guys. Now, it happens that S. 1159 was incorporated in the United States Innovation and Competition Act of 2021 that passed this Senate on a very bipartisan vote. The bill with that title, Innovation and Competition Act, was an effort, in a bipartisan way, to crack down on China.

Now, the bill that I am telling you I cosponsored and is part of that gives our U.S. Customs and Border Protection, CBP, authority to share more information with the private sector on counterfeits identified at the border. It also gives Customs and Border Protection the authority to share information with other parties, like e-commerce parties and shipping carriers.

Sharing information then creates a more secure trade ecosystem that keeps counterfeits out of our country. This is good, commonsense policy.

Now, my colleagues may be asking themselves: Why is this really needed? Well, Customs and Border Protection believes that the Trade Secrets Act keeps this Agency from sharing certain types of information with the private sector. This keeps American companies, then, in the dark and prevents these companies from pursuing the bad guys who rip them off.

Indeed, companies have repeatedly told me that if they just had more information from the Federal Government, they would and could keep more counterfeits out of the United States. So my bill removes this barrier and specifically gives Customs and Border Protection the authority that it needs to share information with the private sector.

Now, here is the icing on the cake. Recently, Customs and Border Protection confirmed that my bill would resolve their concerns about violating the Trade Secrets Act and would permit the sharing of more information on counterfeits.

A few weeks ago, the Congressional Budget Office confirmed that my bill will cost absolutely nothing. So good government legislation that costs the taxpayers zero dollars ought to not raise any questions when it protects the consumer and protects our businesspeople. That is what I like to call a slam dunk, and I hope my colleagues will join me in making sure that it gets passed this Congress.

Now, since this has become an issue in the House of Representatives, I hope that the House wakes up to this commonsense policy being included in the China package as negotiations continue because they left it out in the version that has come to the House floor now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESEARCH AND DEVELOPMENT

Ms. CANTWELL. Madam President, I come to the floor because this week, hopefully, our House colleagues will be taking up legislation that they have named America COMPETES. My colleague was just here on the Senate floor talking about the legislation we passed last year, and we are glad our colleagues are finally addressing this in the House of Representatives.

I said “glad” they are “addressing”—we are happy about that because, between 1996 and 2015, federally funded research led to over \$1 trillion in economic growth and millions of new jobs. So we know that when we invest, we see a big return in our economy.

What we know, however, is that R&D investment is at its lowest point in nearly 45 years, as measured as a percentage of GDP. That is where we have been going. And the rest of the world isn't waiting.

Overall, U.S. R&D spending places us ninth globally, behind advanced economies like South Korea, Japan, and Germany, and far below the fifth place ranking that we held in the 1990s.

So this is why we need to do something, and that is why we passed what was called the United States Innovation and Competition Act last year and why we encouraged our colleagues to take it up. There is a competition for global leadership in technology in a range of areas—semiconductors, manufacturing, artificial intelligence, low-Earth orbit satellites. And there are countries that are very eager to make investments to try to capture those jobs that I mentioned that come as a result of investment in technology.

We know that we tried to solve this problem before; that is, to stay competitive. We passed an America COMPETES Act in 2007, and we passed one in 2010. And we were trying to stay competitive with changing economies and the information age that we now are in. These acts were intended to double the key research accounts at the National Science Foundation and the Department of Energy, but, unfortunately, the appropriations authorized did not materialize. In large part, we had a 2008 recession and subsequent fiscal sequestration, and we reduced the NSF and DOE budgets.

So we had the right idea. We had a year or so of activity that really tried to get us on the right track, and then fiscal issues put us behind.

So job openings today and the opportunities for us to grow our economy by making this investment are just monumental. And that is why we hope that this is a bipartisan effort by the Senate and, ultimately, a bipartisan effort by the House to come together to make the investments to help fill these jobs of the future.

Job openings in computer science occupations are expected to exceed 1 million in the next few years, nearly 400,000 just in the area of cyber security alone.

The Wall Street Journal reported that planned growth in the U.S. semiconductor industry will require up to 90,000 more workers by 2025—90,000 more workers just in that 1 sector. And these are very well-paying jobs.

According to the National Science Board, the only way that the United States can fill the gaps in these STEM workers is to double the number of women in the STEM workforce and double the number of other unrepresented minorities in these jobs. And that is exactly what we are trying to do with this legislation.

On our manufacturing sector—which we have a very large manufacturing sector in the Northwest, driven by aerospace but also other forms of transportation, and it also includes small and medium-sized manufacturing—but one organization estimated that it will take up to \$250 billion over 10 years to help us upgrade our existing infrastructure in manufacturing and equipment to be competitive.

So that means we must do our part. Many of these industries will do their part. But on the R&D side, we must continue to do our part.

Other countries are investing heavily. On the semiconductor advanced manufacturing facilities, which are very, very expensive to build, we just heard of a major announcement by Intel a few weeks ago about their investment in the State of Ohio. These facilities can cost \$30 billion over 10 years, including \$20 billion in just the capital expenses. Other countries are making huge investments to help build cheaper foundries, anywhere from 30 to 50 percent of the investment in Asia.

So, as a result, over the last several decades, the United States has lost a big share of what they had in the semiconductor manufacturing chip sector, going from about 37 percent of the market for production from the United States down to 12 percent today.

So the United States must respond, and we must continue to make investments in these sectors. My colleagues, as we had this floor debate, will remember, we talked about a \$52 billion investment—an enormous amount of money. But I asked my colleagues who helped us get this legislation and those who weren't with us at that moment to consider this information: The semiconductor shortage cost vehicle manufacturers, just in 2021, \$210 billion. In 1 year, our shortage cost us \$210 billion.

So I think making this investment in chip production in the United States is critical. It is time we try again with our House colleagues. It is time that we engage in a bipartisan legislative process to get this legislation to the President's desk.

I know the House will consider many amendments on Friday when they are supposed to take up this bill. We in the Commerce Committee had over 230 amendments filed. We approved 130 amendments. We had a 6-hour markup. We had healthy debate on amendments, and then the Senate proceeded to an

open-floor debate and hundreds of amendments were filed here on the Senate floor.

So I encourage our colleagues in the House to have their amendments, to consider these ideas, and to come to an effort with us to get this legislation passed.

We know that this would be the largest 5-year commitment to public R&D in our Nation's history. We need it for the job growth. We need it to stay competitive.

This legislation would also make a \$15 billion investment in growing and diversifying that STEM workforce. As I said, given the large amount of job openings in this sector, we are not going to find the people to take them unless we are diversifying our workforce.

This would establish a Senate-confirmed position on improving STEM diversity and make sure that NSF and the investments we would make would help us not only assure diversity but geographic diversity within the United States.

This legislation would also create a first-of-a-kind NSF—National Science Foundation—tech directorate to help accelerate the development and translation of new technologies within the United States to the future and helping those jobs grow more quickly.

Now, I know a lot of people, probably at the beginning: If NSF was already doing a good job, if DOE was already doing a good job, why do we have to do something different?

Well, the issue is the United States is producing a lot of R&D, and that R&D is being used by other people. It is actually documented public information that ends up getting used and translated by somebody else hungrier, faster moving, with opportunity, and thereby getting translated. So this bill addresses that. This bill, with the creation of a tech directorate, is about accelerating the R&D that we do and turning it into real manufacturing at a faster rate.

We call this tech transfer. And if you have any kind of university in your State, you know exactly what I am talking about, and these universities play a key role in tech transfer. In fact, tech transfer in this realm of university has been responsible for about 4 million jobs over the last 20 years, I think it is—the last 20 years. So these are big investments that they have supported. They have supported over 4 million jobs.

So USICA would make an investment of 17 billion in the Department of Energy and authorize the tripling of the manufacturing extension partnership to help with those manufacturing opportunities and also make investments in tech hubs to help create private sector investment and the same kind of workforce opportunities for the future.

As I mentioned, the announcement by Intel in Ohio to build a new foundry and the expensive cost of building a new foundry was interesting news because it wasn't in the same places that

investments in chip fabrication has been done so far. And yet the CEO of the company said, if we pass this legislation, there could be 100 billion in investment.

That is important because we have to understand how important chip fabrication is, semiconductors are, to the information age that we live in today—how important it is that we not lose market share any lower than 12 percent and we actually start going back in the other direction so that we can grow these jobs in the future.

So I just want to emphasize: There is a lot to agree on with House colleagues. Both bills call for a \$52 billion investment in the semiconductor industry. Both bills call for major investment, about \$160 billion, in critical R&D Agencies like the National Science Foundation and the Department of Energy. Both bills recognize the need to invest in creating tech hubs and making investments in the domestic supply chain. Both bills call for growing the diversity of our STEM workforce to meet workforce gaps. Both bills attempt to address disparities in our trade and research policies that I was just mentioning—trying to not let people just grab the R&D that the United States does and translate that, but make sure that we have strong laws in preventing intellectual property theft where it occurs and making investments in American businesses. And we know that there are other provisions that we will be able to agree on as well. So with our investment in R&D reaching a 45-year low, now is the time to grow our economy.

I hope our colleagues in the House will join in a bipartisan effort. We stand ready in the Senate to join a serious discussion to get this legislation onto the President's desk and grow these jobs. It is a very important economic opportunity for the United States and continues our leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

UNANIMOUS CONSENT REQUEST—S. 3565

Mr. SCOTT of Florida. Madam President, as our Nation continues to battle against COVID-19, we know that the best way forward for defeating this virus is making sure Americans have adequate prevention and treatment options against this terrible illness.

While I understand that we are still learning about COVID-19 every day, I share the frustrations of public health leaders and the American people at the Federal Government's lack of proactive leadership in fighting this virus. Even with a vaccine developed under the previous administration, President Biden has not been able to slow COVID-19's spread.

The Federal Government's most important role during a public health crisis is to provide accurate information to the American people. Unfortunately, over the past year, there has been mixed messaging, cruel and unfair finger-pointing, baseless censorship, and a

striking lack of effort put into comprehensive public health education efforts.

You should be able to get a test, period, but many Americans have been frustrated at the lack of at-home tests as the virus has continued to spread under President Biden. However, as we seek to ensure the health and well-being of American families, we must do so while using taxpayer dollars responsibly.

It is imperative that the Federal Government do everything in its power to complete our public health mission in a manner that prioritizes support for domestic manufacturing. That is why, as soon as I learned about the administration's intent to purchase 500 million at-home COVID-19 rapid tests for the public earlier this year, I wrote to the HHS Secretary and urged him to prioritize the purchase of American-made COVID tests and prohibit the purchase of tests made in communist China.

We know that at least two FDA-authorized at-home COVID-19 antigen tests are manufactured in communist China and imported into the United States. The last thing the American tax dollars should go towards is funding a country that is guilty of starting the pandemic, covering up and lying about the origins of COVID-19, committing genocide again millions of Uighurs, destroying democracy in Hong Kong, persecuting Tibetans, harassing and threatening Taiwan, stealing American technology and research, and engaging in illegal and unfair trade practices.

Giving communist China taxpayer money would be a complete abuse of the public trust. Sadly, although unsurprisingly, that is exactly what the Biden administration has done in its decision to funnel \$1.28 billion to Andon Health, a Chinese company. That is right—instead of supporting American manufacturing and exclusively ordering American-made tests, the Biden administration is handing nearly \$1.3 billion of taxpayer funds to a company in communist China. This isn't a secret; it was widely reported by Reuters last month.

I am sure we all remember Biden's promise to "Buy American." It is a commitment I and many of my colleagues in the Senate applauded. But, like so many promises made by this President, it has been broken.

That is why I introduced the No Taxpayer Dollars for Communist China COVID Tests Act—a bill to right the wrongs of the Biden administration and prohibit buying or importing COVID-19 tests made in communist China with U.S. tax dollars. I would like to thank Senator ROGER MARSHALL for cosponsoring this bill.

We need this legislation because President Biden has announced that the government will be purchasing 500 million more at-home tests, and just last week, the Department of Defense announced it was buying more than 100

million tests from Andon Health to achieve Biden's goal. That is more money for communist China's economy and less investment in our own economy.

The Federal Government has a responsibility to support American manufacturers, especially as our economy recovers from COVID-19. We cannot turn a blind eye to the fact that it was the Chinese Communist Party that lied about this deadly virus, tried to hide it, and has continuously covered up the origins of COVID-19. We know that every dollar spent on COVID-19 tests manufactured in communist China goes directly to supporting General Secretary Xi and his genocidal regime.

People in this town think taxpayer money is free money to use as they want. They forget that for every dollar collected, there is a hard-working American who earned that money by the sweat of their brow. We have a duty and obligation to ensure that we spend that money wisely.

Thankfully, we won't lose anything or experience shortages by not giving these contracts to Chinese companies. It means HHS will have to work harder to get good, responsible contracts. But the Biden administration's willingness to fund the communist Chinese economy instead of the American economy is an absolute disgrace. It is another example of Joe Biden's willingness to appease dictators and forsake democracy, freedom, and human rights.

So, with many of these tests already repurchased and the Biden administration planning to spend billions more taxpayers dollars, it is important that Congress act on this immediately, which is why I will be asking to pass this good and commonsense bill today.

As if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3565, which is at the desk; further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mr. OSSOFF). Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I will offer another proposal shortly as an alternative to Senator SCOTT's unanimous consent request, and I am going to make a few brief points before I do that.

I want to make clear that on this side, nobody—nobody—takes a backseat to anyone else when it comes to standing up to the horrific abuses of the Chinese Government against its people as well as its economic cheating that has ripped off American jobs and our prosperity.

That is why I worked with our colleague from Ohio, Senator BROWN, to close once and for all an immoral and unjustifiable loophole that allowed some products made with forced labor to enter into the United States.

That is why I have also worked with Senator CRAPO on a bipartisan effort to build on that progress with respect to forced labor and crack down on the rest of China's playbook of abuses and rip-offs. We wrote a bipartisan amendment that deals with forced labor investigations, with intellectual property protection, and with counterfeiting. It helps level the playing field in the fight against China. It helps strengthen and speed up trade enforcement and increases transparency in trade agreements and trade law. These have been priorities of mine throughout my time in the U.S. Senate.

Obviously, I was very pleased when our bipartisan amendment with Senator CRAPO was included in the China competition bill. Overall, the bill—and it was bipartisan—is all about creating jobs by building up supply chains within the United States, investing in sensible science, and battling some of the key cost drivers—cost drivers—in inflation.

Mr. President, colleagues, Senator SCOTT voted against that bipartisan bill. The bipartisan bill passed by a vote of 68 to 32, but my colleague from Florida voted no. So I just want—as people reflect on this debate—to note for the record who exactly was working to make progress in the fight against China's worst practices and who is making speeches about them.

Second, America needs as much manufacturing capacity as possible as soon as possible here for antigen tests to meet our needs. Unfortunately, we are not there yet. The Biden administration recently launched a free-to-order testing system—free-to-order testing system—online. Sixty million households have ordered tests. That is nearly half the total number of households in the country, so there is big demand.

The President has committed to making a billion tests available through that particular program. That is on top of other programs sending millions of tests each week and month to nursing homes, rural health clinics, schools, and elsewhere. The administration is buying all the American-made COVID tests it can get its hands on, but it is not enough to meet demand.

Let's make no mistake—all steps are being taken to make these crucially needed tests available to Americans.

The Scott bill would create a shortage of COVID tests. So, in addition to voting against the bipartisan bill that really would have tackled the big issues dealing with China, my colleague has an effort to create a shortage of tests. That would be a mistake. It would prolong an Omicron wave and put lives in danger. That just isn't common sense.

The American people want the supply of COVID tests to be large enough that nobody has to camp out in a drugstore parking lot waiting for the next delivery. That doesn't mean they are in league with the Chinese Government's horrible genocide against the Uighur

people, but that is essentially what this bill is saying.

After we have dealt with the Scott proposal, which doesn't do anything to help America's working families and our children, I am going to propose something that does and does it quickly.

The fact is, there are tens of millions of families across the country who need help paying for housing and childcare and the other basic necessities of life. That is what the Senate ought to be focused on. That is what we ought to be zeroing in on because that is going to make life better for families and for kids. So when this legislation is disposed of, I am going to propose that the Senate pass a 1-year extension of the expanded child tax credit, which expired on January 1. That is something, colleagues, which really helps families, and they are hurting right now. The Senate knows they are walking on an economic tightrope, balancing the food bill against the fuel bill, and the reality is, a lot of them had extra expenses due to the variant.

I have been trying to get colleagues on the other side of the aisle for well over a month to support the child tax credit. Our colleagues on this side of the aisle have been relentless in their support for it. Child tax credit payments cut child poverty nearly in half; food insecurity among families dropped by 25 percent—story after story from parents across the country talking about how the program helped them put food on the table, how it helped them buy their kids' school clothes and helped them avoid financial ruin when a parent was laid off.

The fact is, Social Security was a bond between the government and elders. What the child tax credit has been all about is creating a new bond to try to help families, vulnerable families and their kids—an economic lifeline to them.

What I am going to propose, I think, as we move to this debate—because we will hear from our colleague from Florida—we have a choice. If you want to do something that does absolutely nothing but put Americans in a tougher spot in terms of getting the help they need to deal with COVID, that is what happens under the proposal by my colleague from Florida, or do you want to do something that will put cash into the pockets of parents so they can help their kids?

I can tell the Presiding Officer, I am sure he, as a new parent, hears this from his contemporaries: The child tax credit is going for luxuries.

I was just home. I had six townhall meetings—by the way, in mostly conservative areas—and families were using those child tax credits for buying shoes and food and essentials.

So that is what the choice here is going to be.

For the reasons that I describe now, I object to the unanimous consent request from our colleague from Florida.

The PRESIDING OFFICER. Objection is heard.

The Senator from Florida.

Mr. SCOTT of Florida. First off, if my colleague actually wanted to help American families, he would do whatever he could to get American families jobs.

I can't understand why my colleague would object to this bill. When did the Democrats decide that they no longer care about the oversight authority of Congress?

My colleague never said that HHS couldn't find American manufacturers for these tests. He didn't go back and check to see if they did. It seems like every one of my colleagues on the other side of the aisle is just another member of the Biden administration focused on covering up for Joe Biden and his appeasement of General Secretary Xi.

I am actually trying to support American jobs and American families so they can support themselves.

I want to support American manufacturers and the American supply chain. The Biden administration is actively choosing to support the communist Chinese regime and their economy instead. This is what he was elected to do, and this is the last thing American families want to see their tax dollars go for.

As stewards of taxpayer dollars, it is our duty to make sure we are doing everything we can to support the American economy, not the communist Chinese economy, especially following the pandemic and during this time of record-high inflation.

So I think objecting to this bill is a choice just to appease communist China, and it is dearly disappointing that we couldn't pass this good, commonsense bill today.

The PRESIDING OFFICER. The Senator from Oregon.

UNANIMOUS CONSENT REQUEST

Mr. WYDEN. As if in legislative session, I ask unanimous consent that if the Senate receives a message from the House of Representatives that the House has passed a bill that is identical to the text of the Wyden bill that is at the desk to extend and modify the special rules for the child tax credit and the advanced payments of the child tax credit for 1 year, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. SCOTT of Florida. Reserving the right to object, look, I get it. I understand why my colleague is anxious. He has got to distract from the bill I came here to pass today. Democrats have shown again and again that they will do anything to cover up for Joe Biden and his weak appeasement of communist China. From the start of the COVID-19 pandemic, my focus has been on providing targeted help to families who truly need it. That is where my focus remains.

My colleague is well aware that this program that he is talking about is actively being debated, and there are concerns on both sides of the aisle. Just one of the many issues being discussed in the program is the program's lack of work requirements and insufficient means testing. It would be irresponsible to cut those discussions short and pass a measure that does not have the unanimous support of the Senate tonight. Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oregon.

Mr. WYDEN. Mr. President, just very briefly, I would like to note that this has been the second time in about 6 weeks when I have tried to get the urgently needed child tax credit extended for another year here on the floor of the U.S. Senate—the second time.

We are hearing all over this country about families who are really having trouble making ends meet right now and how valuable to them the child tax credit would be. And twice in the last 6 weeks, here on the floor of the U.S. Senate, I have tried to get the child tax credit extended for 1 year. And I would just like to note that twice—twice—in the last 6 weeks, Republicans have objected to the idea of extending the child tax credit for 1 year.

I don't think that is in the interest of American families and American kids. We will continue this debate.

And with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I ask unanimous consent that I be able to speak for up to 15 minutes, Senator MARSHALL for up to 5 minutes, and Senator MENENDEZ for up to 5 minutes before the scheduled rollcall votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

INFLATION

Mr. KENNEDY. I want to speak on two topics.

First, on inflation, President Biden's economic policies, unfortunately, have water-boarded the budgets of most Americans and most Louisianians. We see the official statistics, and the statistics are that inflation is going up 7 percent. I understand that is what the experts say, but most Americans and most Louisianians know that inflation is much worse, much worse.

I am sure that has been the experience of the good people of Georgia as well. I mean, I did some calculations before I came down today. From December of 2020 to December of 2021, the most recent numbers we have, gasoline is up 49.6 percent.

In my State, in Louisiana, it costs Louisianians \$27 more than it did last year to fill up the tank of a Chevy truck. That is every time they fill up the tank.

Used car and truck prices have increased by 37.3 percent. In New Orleans, for example, in my State, used car prices were up 38.2 percent through last September.

We all have to eat. Meat, poultry, fish, eggs, up 12.5 percent.

New vehicles, if you can find one, up 11.8 percent.

Household furnishings and furniture, up 7.4 percent. Electricity, up 6.3 percent and headed higher. Clothes, 5.8 percent. Fruits and vegetables, 5 percent. Cereals and bakery products, 4.8 percent. And I could keep going.

The truth is that most Americans are having to spend, on average, about \$3,500 more per year because of President Biden's inflation.

Now, to some people, that may not sound like much, that is a lot of money for people in my State. An extra \$3,500 out of the budget of most working Americans is a lot.

You know, I wish it weren't so, but this inflation has been caused by the Biden administration's economic policies. Inflation is not complicated. It is too much money chasing too few goods.

President Biden's coronavirus bill was the tipping point. That is clear. Now, we all voted for a number of coronavirus bills, but the last coronavirus bill was way too expensive. It was unnecessary, and it wasn't a coronavirus bill.

The President said: Oh, we have got an emergency. We have got an emergency.

And then you read the bill and find out that the bill has got nothing to do with the coronavirus and the money is going to be spent over like a 10-year period. That is not an emergency.

The current inflation has characteristics—I have not seen this—of both cost-push and demand-pull inflation, and it can be traced directly to the economic policies of the Biden administration.

And the Biden administration keeps pushing. He keeps trying to stuff more diapers down the toilet. The Biden administration wants to throw another \$5 trillion—not billion, not million, but trillion—of gasoline on the fire in the Build Back Better bill. And if we pass that, there will be another trillion dollars.

I mean, this administration spends money like it was gully dirt. I have never seen anything like it.

And then we have inflation. We have all this liquidity, which leads to inflation, and the Biden administration will not accept responsibility.

President Biden has blamed inflation—he blamed it first on COVID. Now, I will admit COVID is spreading, but I don't see people walking around coughing inflation on each other. Then he blamed it—I think he blamed it on China for a while. Then President Biden blamed it on greedy corporations. I expect next he will say that inflation originated in a bat.

But the truth of the matter is, it is not complicated. It originated with his spending policies, and it is just killing my people. It is killing them.

And, as you know, we have a lot going on here in Washington and a lot of issues in front of us that are impor-

tant—Ukraine, for example. The President shortly is going to nominate a new member to our U.S. Supreme Court. We have a multitude of bills that we are considering, and all of those are important.

But inflation is important too, and it is hurting the American people, and it is hurting the least among us the most. Yes, we are seeing inflation in terms of services, but we are seeing inflation more in terms of goods, and low-income Americans, as you well know, spend proportionately more of their income on goods than they do on services.

The President's policies, I regret to have to say, have administered a sucking chest wound on the budgets of the people in my State and the people of America, and it has got to stop.

REMEMBERING WILLIAM CLIFFORD SMITH

Mr. President, let me say one more thing, if I could. I lost a good friend in Louisiana, and Louisiana lost a good friend last week: Mr. Clifford Smith. Clifford happened to be a civil engineer, but he was so much more. Clifford was born in New Orleans, but he lived his entire life in Terrebonne Parish. Terrebonne Parish in my State is one of the southernmost parishes. It has been experiencing, for a variety of reasons, wetlands loss for decades after decades.

We started experiencing wetlands loss as soon as we levied the Mississippi River. Now, I am not saying we shouldn't have levied it, because it has obviously created a lot of commerce for America and Louisiana. But the river could no longer overflow and deposit the sediment, and the sediment has not been replenished, and the current sediment has sunk. And when your land sinks and the ocean rises, then you are going to have wetlands loss.

Clifford Smith was one of the first Louisianians, if not the first, to talk about the need for coastal restoration in my State. Clifford Smith, throughout his career at T. Baker Smith, the name of his company, created jobs for thousands of the people in my State.

He was on every board imaginable. When his church burned down in Houma, Clifford said: I will be responsible for raising the money and can rebuild the church.

It took him 5 years, and he did it. And Houma is not—it is a wonderful place, but it is not a wealthy place. But Clifford did it. He had a lot of help, but Clifford was the quarterback.

He was whip smart, and he was visionary. He was wise. He was very charming.

I have known Clifford 30-plus years. I remember when I first decided to run for office, I called Clifford and said: Will you support me? Because everybody knew Clifford Smith. Everybody respected Clifford Smith. Everybody admired Clifford Smith. And I knew if I had his support in his area of my State, it would be critical.

And he said: Yeah, Kennedy. I will support you.

And I said: Well, Clifford, you know the question that is coming next. I can't run a campaign without financial resources. Will you give me money?

He said: No.

I was shocked. This is my friend.

He said: I will not give you money.

He said: But I will tell you what I will do, Kennedy. I will—since you have decided to run for office, I will buy you a gift certificate for a psychiatrist.

Well, that was Clifford—what a poignant statement. Of course, he ended up supporting me financially, but he went on to give me advice and say: Are you sure you want to do this? Politics is a rough business.

I miss Clifford. I am going to miss him. He has a wonderful family, wonderful kids, wonderful grandkids, wonderful great-grandkids. Jo-Anne, his wife, is just a lovely person. And I know that they will continue to spread the truths that were so important to Clifford Smith.

I went down to the funeral home Monday to say goodbye, but I wanted to say goodbye on the floor of the U.S. Senate and recognize my friend and a Louisiana favorite son, William Clifford Smith.

We celebrate his life, but his loss Louisiana weeps.

I yield the floor to my good friend from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

BORDER SECURITY

Mr. MARSHALL. Mr. President, it was just a couple weeks ago that President Biden asked the Nation—he asked Republicans: What are Republicans for?

I want to make it clear tonight that I am for border security. I am for law and order.

I have been to the border three times in the past 4 to 5 years, and what I saw there was a crisis. And if I could, I just want to paint just for a minute what that crisis looks like.

Having been overseas doing medical mission work, I think I know a humanitarian, a health crisis when I see it, and this was a humanitarian crisis, a health crisis—thousands of people sleeping underneath a bridge. They just traveled across Mexico for days, maybe weeks, maybe months.

And as a physician, I looked out there, and what did I see? I saw people who were dehydrated, malnourishment, dehydration from diarrhea, from dysentery, scabies, tuberculosis.

The Border Patrol was overwhelmed. The doctors were overwhelmed, the nurses, the dentists—everybody was overwhelmed. That is what I would call a humanitarian crisis.

One of the biggest humanitarian crises going on, though, is human trafficking. As an obstetrician/gynecologist in Kansas, believe it or not, we would have to take care of young women who had been abused from human trafficking. Maybe they had chlamydia, maybe they were having a miscarriage, but I am just shocked at

the amount of human trafficking going on across the border.

In fiscal year 2021, 145,000 unaccompanied minors were apprehended at the southern border. And I want to emphasize, this is young girls and young boys that are being abused and sold into sex slavery.

Of that 145,000, about a third of the minors that were released to a sponsor we lost contact with. Are we turning children over to human trafficking? I think that is what we are all concerned about.

So I think certainly there is indeed a humanitarian crisis, a health crisis there.

Just to talk a little bit more about the border—and we will put that up here and renegotiate the microphone.

Look at the statistics from last year alone. Two million people were apprehended at the border last year—2 million people. Do you realize that there are 14 States in this country with less than 2 million people?

And beyond that, as I spoke with the Border Patrol there, they told me for every person they apprehend that two got across the lines, so probably an additional 4 million people came across, a total of 6 million. There are 30 States in our country with a population of 6 million people.

Furthermore, what we are doing is making the cartel rich. Again, what I was told by Texas Rangers and Border Patrol officers is the cartel is making \$3,000 to \$9,000 per person. And, of course, if it was some person maybe from the Middle East, a little bit harder to get across the border, they were getting \$20 to \$30,000 a person as well.

I haven't talked yet about the national security crisis. I think we have all seen the films and the reports of single adult males being flown on nighttime flights across the Nation being released, migrants using arrest warrants as forms of identification. I think, you know, America is not stupid. We see what is going on.

I want to talk about fentanyl for a second. So probably 90, 95 percent of the fentanyl coming into this country is made in China, coming across our southern border.

An average month of fentanyl being seized at the border was over 800 pounds. That is almost a half a ton of fentanyl. That would kill 200 million people. Now, this is a drug that if a drug dog sniffs it, it kills them. It makes them stop breathing. Most normal people, if they just had a small, small amount in it, it would make them stop breathing.

This is the national security crisis going on—more young people dying from fentanyl overdose than from COVID—and that is just part of the national security crisis.

You know, I kind of started off this discussion saying what I am for; that I am for border security. I want to tell you how we can fix the problems there, and these are solutions every American knows.

DHS, several years ago, came up with a \$25 billion budget to control the border. I couldn't think of a better way to invest \$25 billion of American dollars—to build a wall where it needs to be built, to finish the wall, to put the gates in that are sitting there rusting away. We could start with that.

We, of course, need more boots on the ground, more technology, more drug dogs—but \$25 billion would significantly improve the situation on the southern border.

Next, the administration can fully and in good faith enforce the "Remain in Mexico" policy and then catch-and-release practices.

And, finally, this, of course: work with Mexico. Let's go back and ask Mexico to help us to get the control, the security on the border; ask them to work on their southern border, which is much easier to control and, of course, work with our Border Patrol on our common border.

This is a crisis that America sees. Every townhall I do, someone is going to bring it up. Every one of them, without any question, someone is going to ask me—they say: Why does President Biden want this crisis?

I say: Well, what do you mean, he wants it?

They say: Well, obviously, he wants this crisis because it would still—it would be so easy to fix.

So if we see the problem, we know the solution—that would be my question for President Biden. Do you have the will to fix this crisis?

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

NOMINATIONS

Mr. MENENDEZ. Mr. President, I come to the floor today to voice my strong support for four highly qualified nominees whom we are soon to vote on: Dr. Amy Gutmann to be the U.S. Ambassador to Germany; Mr. Scott Nathan to be the Chief Executive Officer of the U.S. International Development Finance Corporation; Ms. Lisa Carty to be the U.S. Representative to the United Nations Economic and Social Council; and Ms. Chantale Wong to be the U.S. Director of the Asian Development Bank.

They are all highly qualified. I will speak for a minute or two on Dr. Gutmann and Mr. Nathan, in particular.

Our partnership with European allies is evermore critical as we attempt to deter further Russian escalation and aggressive behavior toward Ukraine. Germany is key to this effort—absolutely critical to the work we need to do to prevent Vladimir Putin from furthering his aims to reclaim a sphere of influence and destabilize Europe.

So while it was beyond irresponsible for some of our Republican colleagues to bottle up Dr. Gutmann's nomination for months, I am pleased that we are close to getting a confirmed ambassador in Berlin; an ambassador who will help coordinate our joint efforts to

stop a Russian invasion of Ukraine; an ambassador who will help repair the previous administration's damage to the U.S.-German relationship; and an ambassador who will represent the United States with great skill and determination.

I would also note that Dr. Gutmann's personal and professional background are a compelling fit for this position and for this moment. As the daughter of a German Jewish refugee who fled the Nazis and as an academic who has devoted her career to advancing freedom and democracy, she is the right person for the job in a moment where anti-Semitism is on the rise and dictators and autocrats around the world are emboldened.

I urge all of my colleagues to support Dr. Gutmann's nomination, and I look forward to her arrival in Berlin in short order.

President Biden also made an excellent decision in nominating Scott Nathan to be the next Chief Executive Officer of the Development Finance Corporation.

The DFC, as that entity is known, is a critical tool for improving economic development outcomes in developing countries, advancing U.S. economic competitiveness, and creating new opportunities in underserved countries and communities.

And while the DFC is only 2 years old, its importance to the advancement of U.S. foreign policy and international development priorities cannot be overstated.

Mr. Nathan will be able to draw on his leadership experience in both the private sector and in public service to ensure the DFC effectively leverages public-private partnerships and maximizes strategic development opportunities around the globe. He has the skills necessary to lead the Agency to be competitive with China's Belt and Road Initiative, to promote renewable energy development, and to support COVID-19 recovery, and, at the same time, to recognize and grapple with the complexity of these challenges.

I strongly support confirming Mr. Nathan, and I am eager to work with him once confirmed.

So all of these nominees deserve a positive, strong vote.

With that, I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 614, Loren L. AliKhan, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for a term of fifteen years.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Gary C. Peters, Robert P. Casey, Jr., Sheldon Whitehouse, Martin Heinrich, Sherrod Brown, Patty Murray, Tammy Duckworth, Tim Kaine, Elizabeth Warren, Mazie K. Hirono, Alex Padilla, Tina Smith, Christopher A. Coons, Amy Klobuchar, Jon Tester.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Loren L. AliKhan, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for a term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), and the Senator from North Dakota (Mr. HOEVEN).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 55, nays 40, as follows:

[Rollcall Vote No. 27 Ex.]

YEAS—55

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Blunt	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	Menendez	Tester
Coons	Merkley	Tillis
Cortez Masto	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Graham	Peters	
Hassan	Portman	

NAYS—40

Barrasso	Hagerty	Rounds
Blackburn	Hawley	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Capito	Kennedy	Shelby
Cassidy	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Toomey
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Ernst	Moran	Young
Fischer	Paul	
Grassley	Risch	

NOT VOTING—5

Cramer	Hoeyen	Van Hollen
Daines	Luján	

The PRESIDING OFFICER (Mr. KELLY). The yeas are 55, the nays are 40.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Loren L. AliKhan, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for a term of fifteen years.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the previous order be modified so that the cloture vote on Executive Calendar No. 495 occur following the cloture vote on Calendar No. 474 and that all other provisions of the previous order remain in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I am asking the Members to stay here in the Chamber or in close proximity of the Chamber so we can get these votes done expeditiously. And, in that regard, I ask unanimous consent that we move the remaining votes from 15 minutes down to 10.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Thank you.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 644, Amy Gutmann, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Germany.

Charles E. Schumer, Robert Menendez, Richard Blumenthal, Gary C. Peters, Robert P. Casey, Jr., Sheldon Whitehouse, Martin Heinrich, Richard J. Durbin, Sherrod Brown, Patty Murray, Tammy Duckworth, Tim Kaine, Elizabeth Warren, Mazie K. Hirono, Alex Padilla, Tina Smith, Christopher A. Coons, Amy Klobuchar, Jon Tester.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Amy Gutmann, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Germany, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS),

the Senator from New Mexico (Mr. LUJÁN), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from North Dakota (Mr. HOEVEN), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 54, nays 37, as follows:

[Rollcall Vote No. 28 Ex.]

YEAS—54

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Blunt	Kaine	Rounds
Booker	Kelly	Sanders
Brown	Kennedy	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Manchin	Smith
Collins	Markey	Stabenow
Cortez Masto	Menendez	Tester
Duckworth	Merkley	Toomey
Durbin	Murphy	Warner
Feinstein	Murray	Warnock
Gillibrand	Ossoff	Warren
Graham	Padilla	Whitehouse
Hassan	Peters	Wyden

NAYS—37

Barrasso	Hagerty	Portman
Blackburn	Hawley	Risch
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Capito	Lankford	Shelby
Cassidy	Lee	Sullivan
Cotton	Lummis	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	
Grassley	Paul	

NOT VOTING—9

Coons	Daines	Rubio
Cornyn	Hoeven	Tuberville
Cramer	Luján	Van Hollen

The PRESIDENT pro tempore. On this vote, the yeas are 54, the nays are 37.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Amy Gutmann, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Germany.

CLOTURE MOTION

The PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby

move to bring to a close debate on the nomination of Executive Calendar No. 649, Lisa A. Carty, of Maryland, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

Charles E. Schumer, Robert Menendez, Jack Reed, Jacky Rosen, Benjamin L. Cardin, Margaret Wood Hassan, Tina Smith, Robert P. Casey, Jr., Alex Padilla, Michael F. Bennet, Tammy Duckworth, Cory A. Booker, Debbie Stabenow, Christopher Murphy, Ben Ray Luján, Angus S. King, Jr., Martin Heinrich.

The PRESIDENT pro tempore. By unanimous consent, the quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Lisa A. Carty, of Maryland, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DANES), and the Senator from North Dakota (Mr. HOEVEN).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 66, nays 28, as follows:

[Rollcall Vote No. 29 Ex.]

YEAS—66

Baldwin	Grassley	Portman
Bennet	Hassan	Reed
Blumenthal	Heinrich	Risch
Blunt	Hickenlooper	Romney
Booker	Hirono	Rosen
Brown	Kaine	Rounds
Burr	Kelly	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Thune
Cortez Masto	Merkley	Tillis
Crapo	Moran	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Fischer	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Graham	Peters	Young

NAYS—28

Barrasso	Hyde-Smith	Sasse
Blackburn	Inhofe	Scott (FL)
Boozman	Johnson	Scott (SC)
Braun	Kennedy	Shelby
Cassidy	Lankford	Sullivan
Cotton	Lee	Toomey
Cruz	Lummis	Tuberville
Ernst	Marshall	Wicker
Hagerty	Paul	
Hawley	Rubio	

NOT VOTING—6

Cornyn	Daines	Luján
Cramer	Hoeven	Sanders

The PRESIDENT pro tempore. On this vote, the yeas are 66, the nays are 28.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. The clerk will report the nomination.

The legislative clerk read the nomination of Lisa A. Carty, of Maryland, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

CLOTURE MOTION

The PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 627, Scott A. Nathan, of Massachusetts, to be Chief Executive Officer of the United States International Development Finance Corporation.

Charles E. Schumer, Robert Menendez, Jack Reed, Jacky Rosen, Benjamin L. Cardin, Margaret Wood Hassan, Tina Smith, Robert P. Casey, Jr., Alex Padilla, Michael F. Bennet, Tammy Duckworth, Cory A. Booker, Debbie Stabenow, Christopher Murphy, Ben Ray Luján, Angus S. King, Jr., Martin Heinrich.

The PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Scott A. Nathan, of Massachusetts, to be Chief Executive Officer of the United States International Development Finance Corporation, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), and the Senator from North Dakota (Mr. HOEVEN).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 68, nays 26, as follows:

[Rollcall Vote No. 30 Ex.]

YEAS—68

Baldwin	Grassley	Reed
Bennet	Hagerty	Risch
Blumenthal	Hassan	Romney
Blunt	Heinrich	Rosen
Booker	Hickenlooper	Rounds
Brown	Hirono	Schatz
Burr	Kaine	Schumer
Cantwell	Kelly	Shaheen
Capito	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Cassidy	Markey	Thune
Collins	McConnell	Tillis
Coons	Menendez	Toomey
Cortez Masto	Merkley	Van Hollen
Crapo	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Fischer	Padilla	Wyden
Gillibrand	Peters	Young
Graham	Portman	

NAYS—26

Barrasso	Inhofe	Rubio
Blackburn	Johnson	Sasse
Boozman	Kennedy	Scott (FL)
Braun	Lankford	Scott (SC)
Cotton	Lee	Shelby
Cruz	Lummis	Sullivan
Ernst	Marshall	Tuberville
Hawley	Moran	Wicker
Hyde-Smith	Paul	

NOT VOTING—6

Cornyn	Daines	Luján
Cramer	Hoeven	Sanders

The PRESIDENT pro tempore. On this vote, the yeas are 68, the nays are 26.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Scott A. Nathan, of Massachusetts, to be Chief Executive Officer of the United States International Development Finance Corporation.

CLOTURE MOTION

The PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 616, Chantale Yokmin Wong, of the District of Columbia, to be United States Director of the Asian Development Bank, with the rank of Ambassador.

Charles E. Schumer, Robert Menendez, Jack Reed, Jacky Rosen, Benjamin L. Cardin, Margaret Wood Hassan, Tina Smith, Robert P. Casey, Jr., Alex Padilla, Michael F. Bennet, Tammy Duckworth, Cory A. Booker, Debbie Stabenow, Christopher Murphy, Ben Ray Luján, Angus S. King, Jr., Martin Heinrich.

The PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination

of Chantale Yokmin Wong, of the District of Columbia, to be United States Director of the Asian Development Bank, with the rank of Ambassador, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), and the Senator from North Dakota (Mr. HOEVEN).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 64, nays 30, as follows:

[Rollcall Vote No. 31 Ex.]

YEAS—64

Baldwin	Hassan	Risch
Bennet	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Blunt	Hirono	Rounds
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Burr	King	Shaheen
Cantwell	Klobuchar	Sinema
Capito	Leahy	Smith
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	McConnell	Thune
Collins	Menendez	Tillis
Coons	Merkley	Van Hollen
Cortez Masto	Murkowski	Warner
Crapo	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Whitehouse
Feinstein	Padilla	Wyden
Gillibrand	Peters	Young
Graham	Portman	
Grassley	Reed	

NAYS—30

Barrasso	Hawley	Paul
Blackburn	Hyde-Smith	Rubio
Boozman	Inhofe	Sasse
Braun	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cruz	Lee	Sullivan
Ernst	Lummis	Toomey
Fischer	Marshall	Tuberville
Hagerty	Moran	Wicker

NOT VOTING—6

Cornyn	Daines	Luján
Cramer	Hoeven	Sanders

The PRESIDENT pro tempore. On this vote, the yeas are 64, the nays are 30.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. The clerk will report the nomination.

The legislative clerk read the nomination of Chantale Yokmin Wong, of the District of Columbia, to be United States Director of the Asian Development Bank, with the rank of Ambassador.

The PRESIDENT pro tempore. The Senator from New York.

UNANIMOUS CONSENT AGREEMENT

Mr. SCHUMER. Yes, Mr. President, it is good news. People will want to hear it.

I ask unanimous consent to withdraw the cloture motions with respect to the Camarillo and Hunter nominations and that the Senate resume consideration of the nominations and the Senate now vote on the confirmation of the nominations in the order listed, with all other provisions of the previous order in effect.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. For the information of the Senators, we have one vote tonight; there will be three votes tomorrow at 12:30.

I yield the floor.

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. The clerk will report the nomination.

The legislative clerk read the nomination of Gabriel Camarillo, of Texas, to be Under Secretary of the Army.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the Camarillo nomination?

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. The clerk will report the nomination.

The legislative clerk read the nomination of Andrew Philip Hunter, of Virginia, to be an Assistant Secretary of the Air Force.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the Hunter nomination?

The nomination was confirmed.

The PRESIDENT pro tempore. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 495, John Patrick Coffey, of New York, to be General Counsel of the Department of the Navy.

Charles E. Schumer, Jack Reed, Sheldon Whitehouse, Richard Blumenthal, Richard J. Durbin, Catherine Cortez Masto, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Gary C. Peters, Chris Van Hollen.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John Patrick Coffey, of New York, to be General Counsel of the Department of the Navy, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), and the Senator from North Dakota (Mr. HOEVEN).

The yeas and nays resulted—yeas 76, nays 18, as follows:

[Rollcall Vote No. 32 Ex.]

YEAS—76

Baldwin	Heinrich	Romney
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Rounds
Blunt	Inhofe	Rubio
Booker	Kaine	Sasse
Brown	Kelly	Schumer
Burr	Kennedy	Shaheen
Cantwell	King	Shelby
Capito	Klobuchar	Sinema
Cardin	Leahy	Smith
Carper	Lee	Stabenow
Casey	Manchin	Sullivan
Cassidy	Markey	Tester
Collins	McConnell	Thune
Coons	Menendez	Tillis
Cortez Masto	Merkley	Toomey
Crapo	Murkowski	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Warnock
Ernst	Ossoff	Warren
Feinstein	Padilla	Whitehouse
Fischer	Paul	Wicker
Gillibrand	Peters	Wyden
Graham	Portman	Young
Grassley	Reed	
Hassan	Risch	

NAYS—18

Barrasso	Hagerty	Marshall
Blackburn	Hawley	Moran
Boozman	Hyde-Smith	Schatz
Braun	Johnson	Scott (FL)
Cotton	Lankford	Scott (SC)
Cruz	Lummis	Tuberville

NOT VOTING—6

Cornyn	Daines	Luján
Cramer	Hoeven	Sanders

The PRESIDING OFFICER (Mr. KELLY). On this vote, the yeas are 76, the nays are 18.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of John Patrick Coffey, of New York, to be General Counsel of the Department of the Navy.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 571, Shelly C. Lowe, of Ar-

izona, to be Chairperson of the National Endowment for the Humanities for a term of four years; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Shelly C. Lowe, of Arizona, to be Chairperson of the National Endowment for the Humanities for a term of four years?

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nominations: Calendar Nos. 695 through 700 and all nominations on the Secretary's Desk in the Air Force, Army, Coast Guard, Marine Corps, and Navy; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Jeffrey W. Nelson

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Mark A. Cunningham

Col. Valerie A. Jackson

The following named officers for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Karl D. Pierson

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Stephen L. Davis

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Charles R. Hamilton

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Frank D. Whitworth, III

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1079 AIR FORCE nomination of Kody A. Wilson, which was received by the Senate and appeared in the Congressional Record of September 13, 2021.

PN1610 AIR FORCE nomination of Matthew V. Chauviere, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1611 AIR FORCE nomination of Jason W. Medsger, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

IN THE ARMY

PN1471 ARMY nomination of David S. Lidwell, which was received by the Senate and appeared in the Congressional Record of December 13, 2021.

PN1472 ARMY nomination of Michael P. Hoffman, which was received by the Senate and appeared in the Congressional Record of December 13, 2021.

PN1473 ARMY nomination of Jason C. Atkinson, which was received by the Senate and appeared in the Congressional Record of December 13, 2021.

PN1489 ARMY nomination of Thomas M. Magill, which was received by the Senate and appeared in the Congressional Record of December 15, 2021.

PN1612 ARMY nomination of Jonathan T. Butler, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1613 ARMY nomination of Tamar N. Wilson, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1614 ARMY nomination of Joseph B. Bulwinkle, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1615 ARMY nomination of Kurtis S. Maciorowski, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1616 ARMY nomination of Dominic C. Sewell, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1617 ARMY nomination of Andrew M. Wade, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1618 ARMY nomination of Latasha N. Turner, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1619 ARMY nomination of Brandi N. Atchison, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1620 ARMY nomination of Mark P. O'Neill, Jr., which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1621 ARMY nomination of Jonathan B. Lundy, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

IN THE COAST GUARD

*PN1072 COAST GUARD nominations (8) beginning Capt. Wayne R. Arguin, and ending
Capt. John

C. Vann, which nominations were received by the Senate and appeared in the Congressional Record of September 13, 2021.

*PN1327 COAST GUARD nominations (2) beginning Capt. Franklin H. Schaefer, and ending Capt. Tiffany G. Danko, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2021.

*PN1434 COAST GUARD nominations (4) beginning Rear Adm. (lh) Christopher A. Bartz, and ending Rear Adm. (lh) Jonathan P. Hickey, which nominations were received by the Senate and appeared in the Congressional Record of December 1, 2021.

*PN1651 COAST GUARD nomination of Peter F. Bosma, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

IN THE MARINE CORPS

PN1624 MARINE CORPS nomination of Anthony C. Siciliano, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1625 MARINE CORPS nominations (4) beginning RAFAEL E. MASALBALADEJO, and ending JEREMY J. WILLOUGHBY, which nominations were received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1626 MARINE CORPS nominations (5) beginning EDDIE M. HOWLAND, and ending BILLY J. QUINN, which nominations were received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1627 MARINE CORPS nominations (6) beginning ANDREW M. ADKINS, and ending JOSHUA E. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1628 MARINE CORPS nominations (7) beginning IAN M. COLE, and ending CHRISTOPHER T. SILLS, which nominations were received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1629 MARINE CORPS nominations (2) beginning ELI J. BRESSLER, and ending JONATHAN R. CAPE, which nominations were received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1632 MARINE CORPS nomination of Christopher M. Dilport, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1634 MARINE CORPS nomination of John F. Bathon, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1635 MARINE CORPS nominations (4) beginning CHRISTOPHER L. JOHNSON, and ending BRAD C. SWANSON, which nominations were received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1638 MARINE CORPS nominations (5) beginning SERGIO ABREU, and ending CHRISTOPHER J. REQUEJO, which nominations were received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1639 MARINE CORPS nomination of Termaine R. Babers, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1640 MARINE CORPS nomination of Vicente Fregoso, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1641 MARINE CORPS nominations (3) beginning MICHAEL E. CATES, and ending ANDREW L. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1642 MARINE CORPS nominations (2) beginning DARRYL L. ELLIS, and ending WILLIAM J. MUELLER, which nominations were received by the Senate and appeared in the Congressional Record of January 5, 2022.

IN THE NAVY

PN1644 NAVY nomination of Anastasia S. Abid, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1645 NAVY nomination of Mariya V. George, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1646 NAVY nomination of Takeru A. Tajiri, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1647 NAVY nomination of Dawn C. Allen, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

PN1648 NAVY nomination of David J. Fauste, which was received by the Senate and appeared in the Congressional Record of January 5, 2022.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JOANNA CAPPS

Mr. LEAHY. Mr. President, I join with the vice chairman of the Appropriations Committee, Senator SHELBY, in honoring Joanna Capps on her retirement on January 21, 2022, after more than 33 years of distinguished service to the Congress. Joanna, better known as Jodi, has supported the annual appropriations process throughout her career. Republican and Democratic staff of both Chambers hold Jodi in high esteem for her deep expertise of appropriations law and budget process and for her steady, even-keeled collegiality.

Jodi came to Capitol Hill in 1989, joining the staff of the Senate Appropriations Committee. For 4 years she worked as a professional staff member of the full committee, productively and reliably working for lawmakers on both sides of the aisle to support the orderly development of appropriation bills by coordinating the compilation and presentation of scoring data across all subcommittees. During her time at the committee, Jodi gained invaluable expertise and insight into the highly detailed and fast-paced nature of appropriations-related work, as well as the myriad budget-related rules and procedures that govern Senate consideration of those bills.

In 1994, Jodi transitioned to a new role within the Congressional Budget Office's Budget Analysis Division, where she has worked as a scorekeeper for the past 28 years. In that capacity, she has been a valuable asset to eight CBO Directors. Initially tasked with scoring the Energy-Water and Interior appropriation bills, Jodi served as the

primary or backup scorekeeper for multiple bills, expanding her substantive expertise and institutional knowledge along the way. For the past several years, she has handled both the vast Labor, Health and Human Services, and Education bill and the legislative branch bill, coordinating CBO's analyses of the President's budget request for those bills and compiling scores for countless versions at each stage of Congressional consideration. She also supported the production of baseline projections, cost estimates for authorizing legislation, CBO's annual report on Expired and Expiring Authorizations of Appropriations, and other vital efforts related to the Budget Analysis Division functions.

Throughout her congressional career, Jodi nurtured strong, collaborative relationships that enabled her to act as a trusted and effective liaison between appropriations staff and CBO analysts. Staff of the Senate Appropriations Committee value her candor and ability to juggle multiple requests with a calm, steady demeanor. Within CBO, Jodi is regarded as a generous and amiable team player who goes out of her way to support colleagues, both professionally and personally.

Jodi is also known for her many creative talents and her civic-mindedness. From setting out trays of homemade scones for CBO colleagues to enjoy with their morning coffee to leading lunch-time tutorials on how to create a floral centerpiece, Jodi has an eye for elegance and enjoys sharing her gifts. She is a committed volunteer who makes time to support causes that benefit her community and boost people's spirits. But perhaps above all, Jodi is famously known as an avid animal lover, a passion she shares with her husband of many years, Alan.

Jodi's expertise, institutional knowledge, and generous spirit will be sorely missed throughout Capitol Hill. We are grateful for her 33 years of exemplary service to the Congress and wish her the best in the years to come.

VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted no on the confirmation of Andrew Philip Hunter, of Virginia, to be an Assistant Secretary of the Air Force.

Mr. President, had there been a recorded vote, I would have voted no on the confirmation of Gabriel Camarillo, of Texas, to be Under Secretary of the Army.

REMEMBERING ROBERT J. DOLE

Mr. MORAN. Mr. President, today former majority leader and Kansas Senator Bob Dole was buried at Arlington National Cemetery.

On December 11, 2021, Senator Dole's hometown of Russell, KS, said their final goodbyes to their favorite son and celebrated his life.

I ask unanimous consent that the remarks I gave that day be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

All of my political life, I've had to follow Bob Dole and Pat Roberts. It's a challenge and they have a sense of humor and wit that I have never been able to replicate, and they have big shoes to fill that are impossible to accomplish.

Never in my time in public life, and therefore in any portion of my life, have I felt more nervous, less capable, of delivering a message. But it is an important one, and I'm honored so much, so privileged to be able to speak in this setting. I am delighted that our minority leader, the Republican leader of the Senate, and his wife Elaine are with us.

From day one, Mitch has said "I will be in Kansas." I ask him, "so did you have a relationship with Bob Dole, did you like him?" To which he said, "Jerry, I voted for him five times. When I arrived in the United States Senate, there was a leadership election going on and it took five ballots to elect Bob Dole, the majority leader, and I did it one, two, three, four, five times."

Then he went on to say what I think is the important point of that story. He said, "I was a new staffer for a new Senator when Bob Dole was in the Senate, and I was leaning against the back wall of the U.S. Senate and the only one of those five candidates who ever visited with me was Bob Dole. And I repaid the favor for him paying attention to somebody he had no necessity of talking to by voting for him. And he became the majority leader, as I understand it, by one vote."

It tells us a story about Mitch's loyalty, but it tells us a story about Bob Dole. You may remember, I don't know if it's done these days, but there used to be polls of people who worked in the Capitol. The question was, "who's your favorite Senator; who the politest person is; who's respectful . . . Bob Dole every time." To the elevator operator, the person who drives the train, to the staff up and down the halls, Bob Dole was their favorite.

And Senator Kassebaum, I am delighted you're here. There are many people who appreciate and long for the days in which Bob Dole and Nancy Kassebaum were their Senators. Those were days of glory for Kansas because we were represented so well.

There's lots of Dole alumni in this room, people whose lives were affected by the fact they worked for Bob Dole, therefore they worked for Kansas; they worked for Americans. They have done so many good things in their life, and they come to pay respect to their mentor, the person that gave them a chance, who brought them from Kansas to the nation's capital and changed their lives.

Chaplain Black, I certainly appreciated what you said yesterday at the National Cathedral, but what you said today in St. Mary's in Russell, Kansas, is meaningful. This is a place in which you can preach the gospel, the gospel of salvation, and people are receptive. And Elizabeth Dole, we have so many things we could compliment you on in your public service, your service to the United States Senate, your service to the cabinet. But I have no doubt that the ability for Chaplain Black to say, "a brother in Christ" has a lot to do with your relationship with Senator Dole. And there is no better thing that could be said today. All the accolades about Bob Dole's life are irrelevant until you get to the point that the Chaplain made: "my brother in Christ."

. . . We rejoice in our sufferings, knowing that suffering produces endurance, and en-

durance produces character, and character produces hope. . . ." (Romans 5:3-4).

I travel Kansas a lot and there are so many stories about Bob Dole. Each of us, we'd love to tell them. . . I've suggested that we ought to get a group together, get a cup of coffee, have a sandwich and just tell Dole's stories.

Bob Dole is the first United States Senator I ever met. My home town of Plainville neighboring county knew of him, but then the first Senator I ever had the chance to shake a hand with. And I have been in awe of Bob Dole for 52 years since then. I know him personally, but I know him from the way Kansans talk about him. The way they express their views about what he did for them, what he meant to them, how important he was to them. If there is a role model in public service, isn't it about getting to the point in which people say 'you meant something to me'? I hope those days are not passed in which the connection between elected officials and the people they represent are about what we've done to make their lives better.

My story with Bob Dole begins when he was serving our nation in uniform in the spring of 1945. Not me, but in the spring of 1945, a worried mother, Bina Dole called my grandma. My grandparents lived south of here on the Russell-Barton county line. The way it was described to me, the conversation took place on a party line and Mrs. Dole was asking my grandmother, "could you please ask your son to see what happened to Bob in the battlefields of Italy?"

My dad was also serving in Italy. He was serving in the Army and she hoped she expressed this hope to my grandmother, my dad's mom that maybe my dad could learn something about what happened to Bob Dole and how he was doing and what his chances were. My dad took leave and made the effort to find Bob Dole only to discover that he had been transported, evacuated out the day before. He missed seeing him by a day.

I walked out of church last Sunday, a week ago tomorrow, only to learn the news of Senator Dole's passing. And I want folks to know that every time that I think about Bob Dole, I think of Russell. I think of places like Russell. Towns like Russell, some a little bit bigger, some a little bit smaller dot our state.

In each of these towns, there are differences of opinions. There are Republicans and there are Democrats. There's people who go to this church or that church. But you know, when it comes to communities in Kansas—communities like Russell—we set aside our differences and try to solve problems. Maybe in a place like Russell, you could actually have a kid who grew up in the Kennedy Methodist Church have his funeral service in St. Mary's Catholic Church. Maybe you could actually have the Methodists and the Lutherans singing in the choir together.

I've tried to explain this to my colleagues in Washington, D.C. more than once, but there is something about small towns where we still get along, and get along well enough to solve our problems. Less so, unfortunately, in the nation's capital. We respect our neighbors. We see them in the grocery store, and we see them at the football game on Friday night, and if we fought among ourselves all the time like sometimes national politics exhibits today, our towns would be a thing of the past. It's only that community working together that keeps the place alive. And we put our hands over our heart when the flag goes by, and we love our country.

Following the attack of December 7th, 80 years ago this week, the values Bob Dole learned growing up in Russell led him to sign up and swear an oath to protect and defend our nation. In the fall of 1944, Lieutenant Dole shipped out, and on April 14th of the next year, 1945, on a battlefield in the hills of

Italy, his life almost ended. He began here in Russell and almost ended in a place he probably never envisioned ever seeing—some set of hills and some country called Italy. And sadly, his injuries occurred three weeks before the war came to an end. Those injuries he suffered were horrific, and they were permanent, but he survived. He endured a long road to recovery. Three years of healing, therapy, rehabilitation still left him with a severely paralyzed right arm.

As we've heard Senator Dole wanted to be a doctor. He was a great track star in Russell and at the University of Kansas. But after that event in 1945, his life, even the basic tasks of living, they were not the story of a track star or a young man who saw stability in being a doctor in a small town. His dreams were crippled.

All of us grow up with dreams; his were shattered on one day. He endured these disabilities throughout his life. You could never see and talk about Bob Dole without knowing the experience of his disability which he never let be one. It took us a number of times to figure out in my life, particularly as a teenager, "how do I get to shake Bob Dole's hand, how does this work?" He lived with these disabilities and rather than asking for help; he decided to commit his life to offering help. His disabilities developed his character. It developed an empathy for other people, and he turned his adversities into public service. His circumstances altered the course of his life, leading him to Congress where he championed bills to provide hope, hope to people like him. There may be no more important thing that any of us can give anyone else, maybe with the exception of what the Chaplain offers, but the hope. And maybe what the Chaplain offers is hope.

In addition to his World War II service, Senator Dole's character developed due to his upbringing here in Kansas, here in Russell, Kansas. His family and this community endured the Dust Bowl and the Great Depression. In Russell, you could feel and see the challenges, the obstacles, the barriers that were put in people's lives—nothing was easy. He wanted to be a doctor because it looked to him like the doctor was the only one who had a stable income . . . Roger.

Even after Bob Dole became a household name across the country, he always returned to Russell. Following his injuries, he returned to Russell. After receiving the Vice Presidential nomination, he and the President came to Russell. The three presidential campaigns, he came to Russell; I went to Iowa, three times on a bus, as lots of Kansans did. After the death of Kenny, his brother, he came to Russell. In 1996, members of his hometown gathered here to celebrate his birthday just after he had been defeated by Bill Clinton.

Though a national leader, he would always be a son of the Kansas plains. This is what Bob Dole said: "The first thing you learn on the prairie is the relative size of a man compared to the lay of the land." The Chaplain talked about our distances, the sky, the horizons. "The first thing you learn on the prairie is the relative size of a man compared to the lay of the land and under the immense sky where I was born and raised, a man is very small, and if he thinks otherwise, he is wrong." This place where many of us call home is a place that puts us in perspective.

Russ Townsley, who Senator Roberts mentioned, the former Publisher of the Russell Daily News, wrote regarding Senator Dole's decision to make his announcement to run for President from a stage in Russell. The national media was making fun of this kind of thing, "why would you announce your Presidency in Russell? You're going to carry Russell County." And here is what Russ Townsley had to say: "Skeptics ask what

Bob Dole can hope to gain from this public show of professionally staged rally. And this is where skeptics find themselves traveling blind. There is no need to look for ulterior motives for there are none. Dole and his town gained from each other while one draws on unseen reserves that have nurtured him from childhood, the other grows strong from the aura reflected from his image of leadership and stature by the other."

To the people of Russell, to the people of Kansas, thank you for the manner in which you have shaped, treated, respected a man now so worthy of our admiration. This town should be so proud because none of us come from places and become anything but from what we came from. We never escape; we don't become somebody different than where our roots lie.

We mourn our man, Bob. It can feel like the sun is setting on both a man and the Greatest Generation that he embodied. Bob Dole, perhaps the greatest man of the Greatest Generation.

On Thursday, I stood in the Rotunda of the United States Capitol as Senator Dole lied in State. He was on a platform, incidentally that President Lincoln laid on upon his death. Only 33 people have lied in State in that Rotunda. Your hometown boy, Bob Dole, is one of them. The statue of his hero, his commanding general, Dwight D. Eisenhower, looks over that room and looked over all of us as we gathered to pay tribute to Bob Dole. I have debated whether to express concern, always be optimistic, but I am worried. I'm concerned if America, ever again, will experience the civility, the bravery, the empathy, the character of people like President Eisenhower and Senator Dole. What happens when the greatest generation is absent?"

But, I am relieved—I wrote in my notes "think," but I think the word is "know." I'm relieved to know that Bob Dole would disagree. Bob Dole would disagree with my worry.

Bob Dole was a man of hope—hope for recovery, hope for those disabilities to have full access to the world around them, hope that no child would go to bed hungry, hope that every veteran would receive the care and benefits they deserve, hope that the aged would live their remaining years with dignity. In the 1996 comments from the senator on the Senate floor as he left the United States Senate for the last time, as a senator he said, "I agree with the prairie poet," he was speaking of Carl Sandburg, "who said, 'yesterday, is a wind gone down, a sun dropped in the west, I tell you that there is nothing in the world only an ocean of tomorrows; only a sky of tomorrows. And like everybody here I'm an optimist, and I believe our best tomorrows are yet to be lived.'"

My hope is that the life of Senator Bob Dole will be remembered—carried on in towns across America, the hearts and minds of here and around the world. Brave enough to find freedom worth defending and in the halls of our government where there is a new generation. Where that new generation, like Senator Dole, will help make tomorrow better for their fellow citizen.

I started my remarks by sharing how much Bob Dole meant to Kansans. This week, we're also reminded how much Bob Dole meant to Americans. One of the places Senator Robert's mentioned, the World War II Memorial. We saw this week thousands of people gathered to pay their respects to Bob Dole at the World War II Memorial. You see it every day, hundreds of Americans, veterans, their families, citizens who respected and admired their service they're there at the World War II memorial to say, "thanks."

I did mention earlier as I described my first connection to Senator Dole, but the first time I heard the story of my dad search-

ing for Bob Dole in Italy was when my dad told the story to Bob Dole because my dad was on an honor flight at the World War II Memorial. My dad in his early 90s, Senator Dole in his 80s, just two old veterans talking about the past. That memorial that Senator Dole gave us creates a point in which we all come together and it helps change lives now, today, and in the future. Senator Dole had this memorial built in honor of veterans like my dad, and because of that we will be reminded of the service and sacrifice for generations to come across the nation.

When I get frustrated with things in the nation's capital, I'll walk down to the Lincoln Memorial and on that trip, I'll go by the World War II memorial, I'll go by the Vietnam Wall, and see the Lincoln Memorial and come back by the Korean War Memorial. I was there one day, this was right before the World War II Memorial opened and I found the Kansas pillar and I stepped away from the memorial and used my cellphone to call my dad. This is something that this memorial does, because I would never tell my dad this in person. I wouldn't voluntarily say what I said to my dad that day and fortunately for me I got the answering machine so it was not a problem to leave a message. But I said, "Dad, I'm at the World War II Memorial. This memorial was built in your honor, and dad I want you to know: I thank you for your service; I respect you, and dad, I love you. That memorial caused that conversation to occur, which probably was not ever going to. Incidentally, I was walking back to my office and my cellphone rings and I answer it. It's my dad's voice and he says, "Gerald?" I said, "yes?" and he said, "you left me a message, but I couldn't understand it. Would you repeat it?"

Across the nation, people will remember Bob Dole for campaigns and presidential races and service to the Senate and legislation passed. I will always remember Bob Dole as the serviceman. The person who sacrificed so much, for the rest of us, in the military. And we'll always remember his roots.

David Rogers, who covered Congress for The Wall Street Journal, traveled to Russell in 1988 and he said, "Like the outcroppings of bleached stone in the prairie grass, there is a hardness to this land, and it shows in Russell's native son, Senate Majority Leader Robert Dole." Pat mentioned he spoke to the high school class graduation in 1986 and Senator Dole said—of his own powerful ambition to chase flat horizons and grasp the dreams that lie beyond—he said, "The horizon is out there somewhere, and you just keep chasing it, looking for it, working for it . . . to make your mark not only on Kansas but America."

Bob Dole suffered; he endured, and he developed character that gave him and us hope.

I'm honored to serve in the Dole seat in the United States Senate and use the Dole desk where I see his name etched into the bottom of the desk drawer every day. It reminds me of the man who went before me, and that each of us, each of us can chase the horizon and make our mark on Kansas and the country.

Bob Dole has reached his final horizon. He promised us he'd be sitting up above us; he's watching. And he said he'd be full of optimism and hope. CJ Mahoney, who was my first intern in the House of Representatives—a Russell native—sent me a comic, a cartoon that appeared in some nation's paper today, and it teared me up this morning. The cartoon is Bob Dole standing in front of the pearly gates and he's talking to St. Peter. And the caption is "For the first time, Bob Dole can again salute his country with his right arm." Isn't that something that is to celebrate?

Robert J. Dole gives us hope for a brighter and better tomorrow. We say, "thank you."

I can't say it to my dad, Bob Dole, and I can't say it to you, except in this symbolic way. But we can say it to all those who served our country. We say this today, "Senator Dole, I respect you, I thank you for your service, and we love you." Thank you.

(At the request of Mr. CRAMER, the following statement was ordered to be printed in the RECORD.)

REMEMBERING WAYNE STENEHJEM

● Mr. HOEVEN. Mr. President, today I would like to pay tribute to the late North Dakota Attorney General Wayne Stenehjem, a dedicated public servant, a colleague, and a true friend. Attorney General Stenehjem spent four decades serving the people of North Dakota. He was a fierce advocate for the rule of law and the rights of North Dakotans.

His was a tremendous and impactful career that clearly demonstrated his devotion to our State, which he called home for the entirety of his life. Wayne was born in Mohall, ND. He graduated from the University of North Dakota and received his law degree from the University of North Dakota School of Law. He is survived by his wife, Beth Bakke Stenehjem, and his son, Andrew, along with many other loved ones.

Wayne started his career in public service in the State legislature, where he served for 24 years, first as a member of the North Dakota House of Representatives and then as a member of the North Dakota Senate. He then ran for the position of attorney general in 2000, the same year I was elected Governor and the first time either of us sought statewide office. I had the benefit of traveling much of the State with Wayne that year, where I came to know him as a solid, reliable individual with a tremendous sense of humor.

Wayne capped off his career in public office as our State's longest serving attorney general. Throughout my time as Governor and as a U.S. Senator, I had many opportunities to work with Wayne on keeping our communities safe, supporting our law enforcement officials, and protecting the rights of North Dakotans. He worked tirelessly to advance these important goals, and I will always be proud of our shared efforts in these matters. Moreover, I am grateful for our time together, both as colleagues and as friends.

He will be greatly missed and remembered well for the meaningful legacy he has left behind. Mikey and I send our sincerest condolences to Beth, Andrew, and the entire Stenehjem family.●

HONORING BALTIMORE FIRE-FIGHTERS PAUL BUTRIM, KELSEY SADLER, AND KENNETH LACAYO

Mr. CARDIN. Mr. President, today is a sad day. While we gather here in session, a memorial service is being held to honor three Baltimore, MD, firefighters who gave their lives in service to their community. These tragedies

are a stark reminder of the commitment and sacrifice that firefighters throughout our great Nation make on a daily basis serving communities large and small. They are truly our domestic defenders and epitomize their moniker of “America’s Bravest.”

International Association of Fire Fighters—IAFF—Baltimore Fire Officers Local 964 Lieutenant Paul Butrim and Baltimore Firefighters IAFF Local 734 Acting Lieutenant Kelsey Sadler and Firefighter/Paramedic Kenneth Lacayo died after a partial collapse trapped them in a burning rowhouse in west Baltimore last Monday. These fallen brothers and sister leave behind grieving family members, a devastated firefighter family, and a community in mourning. We owe them the deepest gratitude and respect.

During this difficult time, I ask my Senate colleagues to hold in their prayers the families and friends of the victims, the members of the Baltimore City Fire Department, and the citizens of Baltimore. This tragedy affects us all. Families lost a mom, a dad, a sister, a brother, an aunt, an uncle, a firefighter, a friend. In the pre-dawn hours of Monday, January 24, 2022, Baltimore City firefighters were dispatched to the 200 block of South Stricker Street for a reported rowhouse fire. As the firefighters responded, the dispatcher relayed that there was a “report of persons trapped.” Shortly after they arrived at the scene, the building partially collapsed, killing Lieutenant Butrim, Acting Lieutenant Sadler, and Firefighter/Paramedic Lacayo. A fourth firefighter, Baltimore IAFF Local 734 member John McMaster, was transported to Shock Trauma and has since been released to recover from his injuries. Please keep him and his family in your prayers, too.

Lieutenant Butrim was just 37, but already a 16-year veteran of the Baltimore City Fire Department. He was no stranger to putting himself in harm’s way. He was called to the job in 2005 when he began his training as a firefighter/paramedic. Immediately after completing his training, he joined the Baltimore City Fire Department. He was always looking to improve his skills as a firefighter/paramedic, eventually earning the rank of lieutenant. Those who knew him say that he was not just an excellent firefighter; he was also an all-around good guy and always willing to help. Paul was a big sports fan and especially liked following NASCAR, baseball, and hockey. He married Rachel, his best friend and love of his life, in 2015. Their son, Nolan, was born in 2016. Tragically, Nolan passed suddenly in February 2019, leaving the family heartbroken.

Ms. Sadler, 33, a firefighter for 15 years, was serving as an acting lieutenant for the department when she was killed in the partial rowhouse collapse. Three days after her death, the Baltimore City Fire Department officially promoted Kelsey to the rank of lieutenant. Lieutenant Sadler began her

career with the Baltimore City Fire Department after graduating from high school in 2006. Lieutenant Sadler had a big heart, a strong will, and the determination to get any task done. Family was her priority. Her presence in any room made everything better and brighter. She was an amazing wife to Brandon, an incredible stepmom to Mila, and the best aunt to Lily and Emmett. When it came to the job, she earned the respect of her colleagues doing what she did best. Everyone who witnessed the beauty and dedication in how she lived her life will remember her.

Firefighter/Paramedic Lacayo, 30, was a native of Montgomery County, MD. He became a firefighter in 2012 and a paramedic in 2014, serving first with the Wheaton Volunteer Rescue Squad, where he received multiple citations for going above and beyond the call of duty. He joined the Baltimore Fire Department in 2014 and was assigned to Engine 14 in August 2021. All those who knew Firefighter/Paramedic Lacayo well describe him as the pinnacle of what a good person should be: kind and humble, always putting others before himself. His exceptional skills as a firefighter and paramedic were matched by his bright smile and his unfailing good nature.

Kurt Vonnegut said, “I can think of no more stirring symbol of man’s humanity to man than a fire engine.” I agree. There are no adequate words to describe the pain and the severity of these losses. But today, this tribute remembers and celebrates their lives, memorializes their sacrifice, and commemorates their service. These public servants worked every day on the frontlines, answering the call whenever sudden danger occurred until the very end. On January 24, these brave men and woman made the ultimate sacrifice.

Knowing what I know about these fire fighters is best described with words like service, sense of duty, response, commitment, courage, and sacrifice. And while those are strong reasons by which to live, sadly, in the firefighting profession, they are also the reasons by which they die. It is important to rejoice in the lives and contributions these lost souls have given, knowing that this world is a safer place because of the men and women across this country who continue to give their lives so others may live. From this moment forward, we will honor these three firefighters who lost their lives for their bravery and courage. Today, I ask that, in their honor—and for firefighters everywhere—please help protect our firefighters in their heroic efforts to save lives.

36TH ANNIVERSARY OF THE “CHALLENGER” SPACE SHUTTLE DISASTER

Mrs. SHAHEEN. Mr. President, I rise in recognition of the 36th anniversary of the *Challenger* Space Shuttle Dis-

aster and to pay tribute to the memory of all seven *Challenger* crewmembers: Gregory Jarvis, Judith Resnik, Francis Scobee, Ronald McNair, Michael Smith, Ellison Onizuka, and Christa McAuliffe.

On January 28, 1986, the world witnessed a fatal accident that claimed the lives of all seven of the *Challenger*’s crewmembers. As many of my colleagues will remember, just moments after launch, the shuttle exploded, never having left the Earth’s atmosphere. It was later determined that unusually cold temperatures caused several seals within the shuttle’s right rocket booster to fail, ultimately resulting in this devastating tragedy.

This anniversary is a particularly difficult day for the people of New Hampshire as we pause to remember the *Challenger* crew, including Granite Stater Christa McAuliffe. The *Challenger* mission had been chosen to pilot President Reagan’s Teacher in Space Program, and Concord schoolteacher Christa McAuliffe was selected to be the program’s first participant. Christa looked forward to the opportunity to teach two lessons from space and share her once-in-a-lifetime experience with students across the country.

Although the Teacher in Space program was discontinued following the accident, the families of the *Challenger*’s crew established the first *Challenger* Center for Space Science Education to promote science, technology, engineering, and math—STEM—education. The center is a nonprofit that engages with students and teachers, providing hands-on education in science, technology, engineering, and mathematics. Today, 40 *Challenger* learning centers have opened globally, and they are continuing to expand opportunities for innovative programs and activities in STEM. Though we lost five dedicated astronauts, a hard-working engineer, and a passionate and devoted educator 36 years ago, the *Challenger*’s poignant legacy continues to live on.

So many of our students and teachers can point to Christa McAuliffe and *Challenger* learning centers as having inspired them to pursue careers in education, science, mathematics, and innovation. New Hampshire has both the McAuliffe-Shepard Discovery Center, an air and space museum and planetarium, as well as the Christa McAuliffe School, an elementary school in Concord. I have no doubt Christa would be glad to know that a great number of young women have chosen to follow in her footsteps and embrace the values she worked so hard to espouse. Christa lived by the words, “I touch the future. I teach.” More than three decades later, her enduring impact on the future is clear.

In 2019, the Senate passed the Christa McAuliffe Commemorative Coin Act, legislation I sponsored with the late Senator Mike Enzi of Wyoming. The legislation was advanced through Congress with overwhelming bipartisan

support and was subsequently signed into law. The enactment of this legislation meant that a commemorative coin in Christa's honor was minted by the U.S. Treasury in 2021. Proceeds from the sale of this coin are going to support STEM education, helping to cultivate a new generation of scientists, engineers, and educators.

Today, we take pause to honor the seven outstanding professionals lost in the *Challenger* accident and acknowledge that this is a very difficult day for their colleagues at NASA, family and friends. Our hearts are with them on this day of remembrance.

ADDITIONAL STATEMENTS

REMEMBERING CHERYL A. HICKMON

• Mr. VAN HOLLEN. Mr. President, I rise today to honor the life and legacy of Cheryl A. Hickmon, national president of Delta Sigma Theta Sorority, Incorporated and chair of the national board of directors. A native of Hartford, CT, Cheryl, the youngest of three children, was born in 1962 to the late Dr. Ned Hickmon and Consuella Anderson Hickmon. Cheryl passed away peacefully on Thursday, January 20, 2022, at the age of 60, following a battle with a recent illness. She leaves to cherish her memory two brothers, Ned N. Hickmon and David W. Hickmon of Hartford, CT, many cousins throughout the United States, coworkers, many friends, and sorority sisters internationally, including members of the Hartford Alumnae Chapter.

Cheryl was deeply devoted to Delta Sigma Theta, and her loss will be felt by many. An active member for 39 years, Cheryl's devotion to Delta Sigma Theta began in 1982 with her initiation into the Alpha Xi Chapter at South Carolina State University. She served in multiple leadership positions at the local, regional, and national levels, including as Alpha Xi chapter president in 1983, South Atlantic regional representative in 1984, Hartford Alumnae chapter president in 2009, and was ultimately elected the 27th national president and chair of the national board of directors in November 2021. Her leadership has shaped generations of women across this country and was inspired by a deep belief in Delta's core values of sisterhood, scholarship, service, and social action.

Cheryl shared her wisdom, care, and compassion with all who crossed her path. Her unwavering commitment to making the world a better place meant Cheryl always sought new opportunities to uplift Americans, especially Black women. Her passion enabled her to have a profound impact on many through Delta Sigma Theta and her service with the National Association for the Advancement of Colored People, the Children's Defense Fund, and the National Council of Negro Women. Cheryl will be remembered as a true

champion for civil rights and social justice.

Cheryl's motivation to lend a helping hand to others in need also shaped her career of more than 30 years as a licensed clinical laboratory technologist. She supervised the In Vitro Fertilization Laboratories for andrology and endocrinology at Montefiore's Institute for Reproductive Medicine and Health. One of her greatest joys was supporting couples in their journey to become parents.

Cheryl was guided by the motto, "Don't measure life by the number of breaths you take but by the number of moments that take your breath away." Her servant leadership in every endeavor she pursued will leave a lasting and meaningful legacy across this country. I extend my deepest condolences to her family, friends, and the entire sisterhood of Delta Sigma Theta. I join each of them in honoring Cheryl's life by holding up her work as an example, one rooted in mentorship, enthusiasm, and service to our community.

Rest in peace, Cheryl. •

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:46 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1298. An act to designate the facility of the United States Postal Service located at 1233 North Cedar Street in Owasso, Oklahoma, as the "Technical Sergeant Marshal Roberts Post Office Building".

H.R. 3579. An act to designate the facility of the United States Postal Service located at 200 East Main Street in Maroa, Illinois, as the "Jeremy L. Ridlen Post Office".

H.R. 3613. An act to designate the facility of the United States Postal Service located at 202 Trumbull Street in Saint Clair, Michigan, as the "Corporal Jeffrey Robert Standfest Post Office Building".

H.R. 4168. An act to designate the facility of the United States Postal Service located at 6223 Maple Street, in Omaha, Nebraska, as the "Petty Officer 1st Class Charles Jackson French Post Office".

H.R. 5577. An act to designate the facility of the United States Postal Service located at 3900 Crown Road Southwest in Atlanta, Georgia, as the "John R. Lewis Post Office Building".

The message further announced that pursuant to section 1004(b)(2)(C) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81), and the order of the House of January 4, 2021, the Speaker appoints the following individual on the part of the House of Representatives to the Commission on Planning, Programming, Budgeting, and Execution Reform: Mrs. Susan Davis of San Diego, California.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1298. An act to designate the facility of the United States Postal Service located at 1233 North Cedar Street in Owasso, Oklahoma, as the "Technical Sergeant Marshal Roberts Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3579. An act to designate the facility of the United States Postal Service located at 200 East Main Street in Maroa, Illinois, as the "Jeremy L. Ridlen Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3613. An act to designate the facility of the United States Postal Service located at 202 Trumbull Street in Saint Clair, Michigan, as the "Corporal Jeffrey Robert Standfest Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4168. An act to designate the facility of the United States Postal Service located at 6223 Maple Street, in Omaha, Nebraska, as the "Petty Officer 1st Class Charles Jackson French Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5577. An act to designate the facility of the United States Postal Service located at 3900 Crown Road Southwest in Atlanta, Georgia, as the "John R. Lewis Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-104. A resolution adopted by the House of Representatives of the Commonwealth of Pennsylvania urging the United States Congress to oppose the Treasury Department's proposal to change Internal Revenue Service reporting requirements, which would unnecessarily and harmfully affect financial institutions and their customers in this Commonwealth; to the Committee on Finance.

HOUSE RESOLUTION NO. 150

Whereas, The Treasury Department has proposed a change to Internal Revenue Service reporting requirements that would require financial institutions to report the total dollar amount of incoming and outgoing transactions from each customer account with gross inflows and outflows THAT HAVE REACHED A CERTAIN THRESHOLD in a tax year to the Internal Revenue Service; and

Whereas, Under the proposed reporting requirement, a financial institution must report an itemization of physical cash, transactions with foreign accounts and transfers to and from another account with the same

customer when the transactions to and from the account have reached a certain gross total threshold in a tax year; and

Whereas, The proposed reporting requirement would apply to personal or business savings, transactional, loan and investment accounts for a financial institution subject to the proposed reporting requirement; and

Whereas, It is not known how a financial institution would report the gross inflows and outflows for each customer account under the proposed reporting requirement; and

Whereas, Maintaining the privacy and security of customer account information is a primary goal of each financial institution in this Commonwealth; and

Whereas, The proposed reporting requirement could jeopardize the privacy and security of customer account information; and

WHEREAS, Financial institutions are already subject to many burdensome regulatory requirements; and

Whereas, The proposed reporting requirement would only exacerbate that burden, particularly for smaller financial institutions; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress of the United States to oppose the Treasury Department's proposal to change Internal Revenue Service reporting requirements, which would unnecessarily and harmfully affect financial institutions and their customers in this Commonwealth; and be it further

Resolved, That copies of this resolution be transmitted to the following:

- (1) The President of the United States.
- (2) The President pro tempore of the United States Senate.
- (3) The chairperson of the Committee on Finance of the United States Senate.
- (4) The Speaker of the United States House of Representatives.
- (5) The chairperson of the Committee on Ways and Means of the United States House of Representatives.
- (6) Each member of Congress from Pennsylvania

POM-105. A resolution adopted by the Senate of the Commonwealth of Pennsylvania urging the United States Congress to oppose the proposal to make an unnecessary and harmful change to Internal Revenue Service reporting requirements that affect financial institutions and their customers in this Commonwealth; to the Committee on Finance.

SENATE RESOLUTION NO. 195

Whereas, The Biden Administration has proposed a change to Internal Revenue Service reporting requirements that would require financial institutions to report the total dollar amount of incoming and outgoing transactions from each customer account with gross inflows and outflows in common amounts to the Internal Revenue Service; and

Whereas, Under the proposed reporting requirement, a financial institution must report an itemization of physical cash, transactions with foreign accounts and transfers to and from another account with the same customer when the transactions to and from the account have a gross total amount threshold that would commonly impose a significant burden on ordinary citizens and small businesses; and

Whereas, The proposed reporting requirement would apply to personal or business savings, transactional, loan and investment accounts for a financial institution subject to the proposed reporting requirement; and

Whereas, It is not known how a financial institution would report the gross inflows

and outflows for each customer account under the proposed reporting requirement; and

Whereas, Maintaining the privacy and security of customer account information is a primary goal of each financial institution in this Commonwealth; and

Whereas, The proposed reporting requirement could jeopardize the privacy and security of customer account information; and

Whereas, financial institutions are already subject to many burdensome regulatory requirements; and

Whereas, The proposed reporting requirement would only exacerbate that burden, particularly for smaller financial institutions; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the Congress of the United States to oppose the proposal to make an unnecessary and harmful change to Internal Revenue Service reporting requirements that affect financial institutions and their customers in this Commonwealth; and be it further

Resolved, That copies of this resolution be transmitted to all the following:

- (1) The President of the United States.
- (2) The President pro tempore of the United States Senate.
- (3) The chairperson of the Committee on Finance of the United States Senate.
- (4) The Speaker of the United States House of Representatives.
- (5) The chairperson of the Committee on Ways and Means of the United States House of Representatives.
- (6) Each member of Congress from Pennsylvania.

POM-106. A concurrent resolution adopted by the Legislature of the State of North Dakota recognizing parents as the chief stakeholders of the future and education of their children; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 3049

Whereas, in most instances, the parents are the primary caretakers and guardians of their children; and

Whereas, parents should be recognized as the primary stakeholders in their children's futures; and

Whereas, parents should repudiate weaponizing labels and government agencies for merely participating in the political process; and

Whereas, it is necessary to restore the balance of respect and power between parents and the government for the benefit of children by recognizing parents as the chief stakeholders of children's futures; Now, therefore, be it

Resolved by the House of Representatives of North Dakota, the Senate Concurring therein, That the Sixty-seventh Legislative Assembly recognizes parents as the chief stakeholders of the future and education of the their children; and

Resolved, That the Secretary of State forward copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, each member of the North Dakota Congressional Delegation, the Attorney General of the United States, and the Executive Director of the National School Boards Association.

POM-107. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Congress to clarify its position on the legality of marijuana under the Controlled Substances Act of 1970; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 158

Whereas, Despite federal law criminalizing marijuana, many states have exercised their authority to enact marijuana laws that reflect the needs and interests of their citizens. Currently, the state of Michigan is among a majority of states that have chosen to regulate marijuana under state law; and

Whereas, The federal government's lack of clarity and inconsistency in its interpretation of the legality of marijuana under the Controlled Substances Act of 1970 has created confusion and uncertainty for states legislating marijuana operations. This, in turn, affects law enforcement, banking, taxation, and zoning; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to clarify its position on the legality of marijuana under the Controlled Substances Act of 1970; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-108. A concurrent resolution adopted by the Legislature of the State of New Jersey rescinding all applications previously transmitted by the New Jersey Legislature to the Congress of the United States calling for a convention for the purpose of proposing amendments to the Constitution of the United States; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION NO. 161

Be it Resolved by the Senate of the State of New Jersey (the General Assembly concurring):

1. All applications previously transmitted by the New Jersey Legislature to the Congress of the United States calling for a convention for the purpose of proposing an amendment to the United States Constitution are hereby rescinded.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly or the Secretary of the Senate to the Clerk of the United States House of Representatives and to the Secretary of the United States Senate in Washington, D.C.

POM-109. A concurrent resolution adopted by the Legislature of the State of Texas urging the United States Congress to pass legislation that would grant licensing authority for public school bus drivers to the states; to the Committee on Commerce, Science, and Transportation.

SENATE CONCURRENT RESOLUTION NO. 3

Whereas, Each day, more than 26 million students rely on school buses for safe transportation, and many school districts have experienced difficulty in keeping up with this demand due to federal licensing requirements that have exacerbated the shortage of school bus drivers; and

Whereas, Part 383 of the Federal Motor Carrier Safety Regulations requires school bus drivers to obtain a Commercial Driver's License, but the application process has included unnecessary obstacles to meeting this obligation; for example, the testing and training portions of the CDL application were previously handled by different third-party skills examiners, which limited applicants' ability to complete the exams if they did not have access to both a tester and a trainer; a recent change to this rule helps states streamline the process of obtaining a CDL by allowing the same examiner to both test and train an applicant, revealing that with less federal interference, states can license school bus drivers more efficiently; and

Whereas, According to a survey conducted by School Bus Fleet Magazine, most school districts have endured some degree of bus driver shortage, and data from the National Association for Pupil Transportation reveals that many school districts consider CDL requirements to be a major factor in their ability to recruit and retain bus drivers; one Texas school district has successfully overcome its shortage, but only through costly training programs that compensate new drivers as they complete the CDL application; and

Whereas, School districts that provide valuable transportation services are burdened by a flawed federal system with inefficient licensing requirements, and Congress should solve this problem by allowing states to establish regulations according to their own needs: Now, therefore, be it

Resolved, That the 87th Legislature of the State of Texas, 3rd Called Session, hereby respectfully urge the Congress of the United States to pass legislation that would grant licensing authority for public school bus drivers to the states; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-110. A notification from the Acting Governor of the State of New Jersey to inform the United States Congress of New Jersey's intention to withdraw from the Waterfront Commission Compact; to the Committee on the Judiciary.

POM-111. A motion adopted by the Legislature of Chautauqua County, New York, urging the President of the United States, and the United States Congress to support, uphold, and preserve the principles set forth in the Constitutions of the United States and State of New York, and exercise their legislative and executive powers within the bounds of their constitutional authority; to the Committee on the Judiciary.

POM-112. A petition from a citizen of the State of Missouri making an official request for review of the Ripley County Court in Case Numbers (375), (376), (377), January 1973; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHATZ, from the Committee on Indian Affairs, without amendment:

H.R. 1688. An act to amend the Indian Child Protection and Family Violence Prevention Act (Rept. No. 117-63).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. CANTWELL for the Committee on Commerce, Science, and Transportation.

*Kathy K. Im, of Illinois, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2024.

*Thomas E. Rothman, of California, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2026.

*Elizabeth M. Sembler, of Florida, to be a Member of the Board of Directors of the Cor-

poration for Public Broadcasting for a term expiring January 31, 2026.

*John Edward Putnam, of Colorado, to be General Counsel of the Department of Transportation.

*Max Vekich, of Washington, to be a Federal Maritime Commissioner for a term expiring June 30, 2026.

*Jed David Kolko, of California, to be Under Secretary of Commerce for Economic Affairs.

*Steven Scott Cliff, of California, to be Administrator of the National Highway Traffic Safety Administration.

*Ann Claire Phillips, of Virginia, to be Administrator of the Maritime Administration.

*Laura Gore Ross, of New York, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2028.

*Victoria Marie Baecher Wassmer, of the District of Columbia, to be Chief Financial Officer, Department of Transportation.

Ms. CANTWELL. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the Records on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Coast Guard nominations beginning with Capt. Wayne R. Arguin and ending with Capt. John C. Vann, which nominations were received by the Senate and appeared in the Congressional Record on September 13, 2021.

*Coast Guard nominations beginning with Capt. Franklin H. Schaefer and ending with Capt. Tiffany G. Danko, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2021.

*Coast Guard nominations beginning with Rear Adm. (lh) Christopher A. Bartz and ending with Rear Adm. (lh) Jonathan P. Hickey, which nominations were received by the Senate and appeared in the Congressional Record on December 1, 2021.

*Coast Guard nomination of Peter F. Bosma, to be Captain.

By Mr. PETERS for the Committee on Homeland Security and Governmental Affairs.

*Margaret A. Burnham, of Massachusetts, to be a Member of the Civil Rights Cold Case Records Review Board.

*Gabrielle M. Dudley, of Georgia, to be a Member of the Civil Rights Cold Case Records Review Board.

*Henry Klibanoff, of Georgia, to be a Member of the Civil Rights Cold Case Records Review Board.

*Brenda E. Stevenson, of California, to be a Member of the Civil Rights Cold Case Records Review Board.

*Tovah R. Calderon, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

*Adrienne Jennings Noti, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Cathy Ann Harris, of Maryland, to be Chairman of the Merit Systems Protection Board.

*Cathy Ann Harris, of Maryland, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2028.

*Susan Tsui Grundmann, of Virginia, to be a Member of the Federal Labor Relations

Authority for a term of five years expiring July 1, 2025.

*Ed Gonzalez, of Texas, to be an Assistant Secretary of Homeland Security.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO (for himself and Mr. COONS):

S. 3553. A bill to review domestic biopharmaceutical manufacturing capabilities in order to improve public health and medical preparedness and response capabilities and domestic biopharmaceutical manufacturing capabilities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of South Carolina (for himself, Mr. CASSIDY, and Mr. BURR):

S. 3554. A bill to establish an alternative use of certain Federal education funds when in-person instruction is not available; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida (for himself, Ms. ERNST, Mr. RUBIO, Mr. PAUL, Ms. LUMMIS, Mr. BARRASSO, and Mr. SUL-LIVAN):

S. 3555. A bill to amend the Occupational Safety and Health Act of 1970 to clarify the scope of the authority for emergency temporary standards, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LUMMIS (for herself and Mr. KELLY):

S. 3556. A bill to direct the Secretary of Transportation to modify certain regulations relating to the requirements for commercial driver's license testing and commercial learner's permit holders, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET (for himself and Mr. CASSIDY):

S. 3557. A bill to amend title XVIII of the Social Security Act to extend the Quality Payment Program-Small Practice, Underserved, and Rural Support Program; to the Committee on Finance.

By Mrs. MURRAY:

S. 3558. A bill to amend the Arms Export Control Act to provide for better monitoring and verification of the use of defense articles and defense services by countries of concern, and for other purpose; to the Committee on Foreign Relations.

By Mr. MERKLEY (for himself and Mr. CASEY):

S. 3559. A bill to amend the Higher Education Act of 1965 to prohibit institutions of higher education participating in Federal student assistance programs from giving preferential treatment in the admissions process to legacy students or donors; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Ms. KLOBUCHAR, and Mr. WHITEHOUSE):

S. 3560. A bill to promote and support the local arts and creative economy in the United States; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 3561. A bill to require owners of covered federally assisted rental dwelling units to install temperature sensors in such units, and

for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCOTT of South Carolina (for himself and Ms. HASSAN):

S. 3562. A bill to amend the Federal Deposit Insurance Act to ensure that certain custodial deposits of well capitalized insured depository institutions are not considered to be funds obtained by or through deposit brokers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCOTT of Florida (for himself, Mr. COTTON, and Mr. RUBIO):

S. 3563. A bill to amend the Secure and Trusted Communications Networks Act of 2019 to provide for the addition of certain equipment and services produced or provided by DJI Technologies to the list covered communications equipment or services published under such Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH (for herself and Ms. ERNST):

S. 3564. A bill to amend the Small Business Act to codify the Boots to Business Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. SCOTT of Florida (for himself and Mr. MARSHALL):

S. 3565. A bill to prohibit the use of Federal funds to purchase at-home tests for SARS-CoV-2 that are imported from, or manufactured in, the People's Republic of China; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. MORAN):

S. 3566. A bill to amend the Public Health Service Act with respect to trauma care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. SCOTT of Florida, Mr. BRAUN, Mr. CRUZ, Mr. HAGERTY, and Mr. HAWLEY):

S. 3567. A bill to modify the limitation on military-to-military exchanges and contacts with the People's Liberation Army to cover all logistical operations and remove the exception for search-and-rescue and humanitarian operations and exercises; to the Committee on Foreign Relations.

By Mr. PORTMAN (for himself and Mr. JOHNSON):

S. 3568. A bill to prohibit the Administrator of the Transportation Security Administration from accepting warrants for the arrest of aliens as valid proof of identification at airport security checkpoints, and for other purposes; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 212

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 212, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 265

At the request of Ms. SMITH, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 265, a bill to establish a grant program to provide amounts to public housing agencies to install automatic sprinkler systems in public housing, and for other purposes.

S. 407

At the request of Mr. RUBIO, the name of the Senator from Illinois (Ms.

DUCKWORTH) was added as a cosponsor of S. 407, a bill to provide redress to the employees of Air America.

S. 617

At the request of Mr. THUNE, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 617, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 1315

At the request of Ms. CANTWELL, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 1315, a bill to amend title XVIII of the Social Security Act to provide for coverage of certain lymphedema compression treatment items under the Medicare program.

S. 1574

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 1574, a bill to codify a statutory definition for long-term care pharmacies.

S. 3074

At the request of Mr. BRAUN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3074, a bill to establish the Payroll Audit Independent Determination program in the Department of Labor.

S. 3481

At the request of Mr. COTTON, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 3481, a bill to secure the dignity and safety of incarcerated women.

S. 3505

At the request of Mr. MERKLEY, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3505, a bill to amend the Internal Revenue Code of 1986 to exclude certain Nurse Corps payments from gross income.

S. 3512

At the request of Mr. SCOTT of Florida, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3512, a bill to establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes.

S. 3518

At the request of Mr. SCHATZ, the names of the Senator from Ohio (Mr. BROWN), the Senator from Maryland (Mr. CARDIN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Hawaii (Ms. HIRONO), the Senator from Pennsylvania (Mr. CASEY), the Senator from California (Mr. PADILLA), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Mr. MARKEY), the Senator from Massachusetts (Ms. WARREN), the Senator from Wisconsin (Ms. BALDWIN) and the

Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 3518, a bill to increase the rates of pay under the statutory pay systems and for prevailing rate employees by 5.1 percent, and for other purposes.

S. 3546

At the request of Mr. HAGERTY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 3546, a bill to amend the Internal Revenue Code of 1986 to repeal the amendments made to reporting of third party network transactions by the American Rescue Plan Act of 2021.

S. RES. 499

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 499, a resolution celebrating 100 years of diplomatic relations between the United States and the Baltic States.

S. RES. 500

At the request of Mrs. FEINSTEIN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Illinois (Mr. DURBIN) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. Res. 500, a resolution supporting the observation of National Trafficking and Modern Slavery Prevention Month during the period beginning on January 1, 2022, and ending on February 1, 2022, to raise awareness of, and opposition to, human trafficking and modern slavery.

AMENDMENT NO. 3892

At the request of Mr. WARNER, his name was withdrawn as a cosponsor of amendment No. 3892 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. MORAN):

S. 3566. A bill to amend the Public Health Service Act with respect to trauma care; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am pleased to introduce the Improving Trauma Systems and Emergency Care Act with Senator MORAN.

Nationally, trauma is the leading cause of death in the United States for individuals aged 44 and younger, and according to the Coalition for National Trauma Research, trauma accounts for 41 million emergency room visits and 2 million hospital admissions across the country each year.

For anyone who experiences sudden, major injuries in a car crash, a house fire, and any other dangerous incident, timely and effective trauma care can make a significant difference. The Nation's trauma and emergency medical

systems are designed to provide that expert care. These systems respond quickly and efficiently to get seriously injured individuals to the appropriate trauma center hospital within the “golden hour,” the time period when medical intervention is most effective in saving lives and preventing permanent injury. Achieving this standard of access requires maintenance and careful coordination between organized systems of trauma care.

We must continually improve and invest in this essential component of our healthcare system. In 2014, President Obama signed the Improving Trauma Care Act into law, legislation that I introduced to add burn injuries to the definition of “trauma care” and ensure that burn centers are eligible for funding under trauma and emergency care programs.

The legislation we are introducing today takes another important step by authorizing \$24 million each year for pilot program grants to strengthen coordination and communication among trauma systems, improve access to trauma care, and facilitate clinical research. The legislation would also require the Assistant Secretary for Preparedness and Response at the Department of Health and Human Services, HHS, to support States in improving emergency medical services and trauma care during a public health emergency. Lastly, the legislation would allow HHS to award grants to improve trauma care in rural areas.

I am pleased to have the support of the Trauma Center Association of America for this bill, and I urge our colleagues on both sides of the aisle to join us in cosponsoring this legislation and working toward its expeditious passage.

AUTHORITY FOR COMMITTEES TO MEET

Mr. PETERS. Mr. President, I have 10 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the allowing committees are authorized to meet during today’s session of the Senate:

COMMITTEES ON ARMED SERVICES AND FOREIGN RELATIONS

The Committees on Armed Services and Foreign Relations are authorized to meet during the session of the Senate on Wednesday, February 2, 2022, at 10 a.m., to receive a joint briefing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, February 2, 2022, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet

during the session of the Senate on Wednesday, February 2, 2022, at 10 a.m., to conduct a hearing.

COMMITTEES ON FOREIGN RELATIONS AND ARMED SERVICES

The Committees on Foreign Relations and Armed Services are authorized to meet during the session of the Senate on Wednesday, February 2, 2022, at 10 a.m., to receive a joint briefing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, February 2, 2022, at 11 a.m., to conduct a business meeting.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, February 2, 2022, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, February 2, 2022, at 3 p.m., to conduct a business meeting.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, February 2, 2022, at 2 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON COMPETITION POLICY, ANTITRUST, AND CONSUMER RIGHTS

The Subcommittee on Competition Policy, Antitrust, and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, February 2, 2022, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON FISCAL RESPONSIBILITY AND ECONOMIC GROWTH

The Subcommittee on Fiscal Responsibility and Economic Growth of the Committee on Finance is authorized to meet during the session of the Senate on Wednesday, February 2, 2022, at 2:30 p.m., to conduct a hearing.

ORDERS FOR THURSDAY, FEBRUARY 3, 2022

Mr. SCHUMER. Mr. President, finally, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, February 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Baker nomination, notwithstanding rule XXII; and further, that the Senate recess from 11 a.m. to 12:30 p.m. for the all-Senators briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, for the information of Senators, there will be three rollcall votes beginning at 12:30 p.m.

ORDER FOR ADJOURNMENT

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of Senator LANKFORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oklahoma.

BORDER SECURITY

Mr. LANKFORD. Mr. President, last weekend, I spent time down at the southwest border, an area the Presiding Officer is very familiar with.

This time, I was in the Rio Grande Valley. The Rio Grande Valley area has the highest area of illegal crossings across our entire 2,000-mile southwest border. In fact, it is interesting to be able to track just the movement across that border.

This is from 2014 to 2022. It is what has happened along this area of the border, just this one specific area, what is called the Rio Grande Valley area. It is around McAllen and Brownsville—that area. This shows, each year, what happens.

It starts in October, way down here with the numbers low. In some years, it came up, but just about every year, it went up and down. It was down significantly in November and December because, again, in Central America, they celebrate Christmas as well, and a lot of folks want to head back home, even, or be there. So immigration doesn’t cross from south to north significantly in most years in October, November, December, January, except for this really odd line right here that seems really out of balance with all the rest of the lines from the last decade.

It is this line right here. This line is actually from last year. This line shows a number of 2 million people who illegally crossed our southwest border last year whom we know of—2 million. That is this line.

Typically, every other year, it is way down low when you get to October, November, December. That is over here. Here are the low months—but not this year. It has already started way up high. In fact, what is interesting is, for October, November, December, if you take any one of those months, there are as many people illegally crossing the border in the Rio Grande Valley in October, November, or December as over the last 3 years in that month combined.

Let me run that past everybody again. If you take any month—October, November, December—there were higher illegal crossings that we know of than over the last 3 years combined in any year that we know of.

My fear is, as some people have said, we have a problem on our southern border. I actually believe the Biden administration's policy is working exactly as they designed it to work—exactly. They created a structure in a system to allow as many people as possible to be able to cross our southern border, and it is working exactly.

Why would I say that? Well, in the first days of the Biden Presidency, when you stop border wall construction, when you announce they are going to change dramatically every policy in how we are interdicting individuals, when they cancel all foreign agreements with Mexico and with Central America that are actually limiting the number of people there, and then you don't replace them with anything, you have got to know that this is what is going to happen. Then, a year later, when nothing has changed, this is what is going to happen.

The agents in the Rio Grande Valley whom I talked to anticipate that by the time we get to the summer, we are going to be at 9,000 people a day who are illegally crossing our southern border—a day. There are many months in the past that we didn't have that many people crossing the border illegally. They are anticipating, on this trend line, 9,000 a day who will be coming. So far, what has the Biden administration done? They have stuck with their plan because it is doing exactly what they thought it was going to do.

I am amazed at the number of people I have talked to who have grown numb to what is happening on our southern border, and the media has just looked away and said: We have talked about how bad it is for a year; that is old news now. So they no longer talk about the 2 million people who have illegally crossed our border.

But, in going down last weekend and spending time with the Border Patrol, the CBP, ICE, and other leaders who were there, they could tell me firsthand the stories from last week, late at night, of the five Syrians they picked up who were crossing the southern border in the brush. Those 5 Syrians were part of the count of the 2 million people from last year that will now be who knows how big this year. They told me directly the story of a Nicaraguan single adult male whom they picked up crossing the border in the Rio Grande Valley, who told them under questioning that he was a member of the Nicaraguan military. Within 48 hours, he was released into the United States, and they were furious about it. Their question was very, very simple. A single adult male, member of a foreign military is now somewhere in our country, and they have no idea why, because they are doing their job but the policies that they have to work with right now of how many people they have to be able to cut loose, and how hard it is to be able to detain people, and the limiting policies of the Biden administration are fulfilling exactly what they are designed to do.

There has been a lot of conversation on the floor, and I have brought several times to this body the construction of the border barriers down in the south-west. This is something that members of the Border Patrol have asked for again and again and again: Close the gaps. They always say: Close the gaps.

There are these massive gaps where it was under construction. On January 20th of last year, construction stopped. Over and over again, people have said: Close the gaps. Close the gaps—those gaps we have to patrol.

Let me give you an example. When I got down there, they had now announced, by the way, they are closing the gaps. And everyone went: Great, the gaps are being closed.

But I got down there to be able to look at the gaps being closed, and let me show you what it looks like. This is an aerial shot when we were up in a helicopter with CBP, getting a chance to be able to literally watch people crossing the border illegally. From this aerial shot, I hope you can see. This was the existing wall that was constructed during the Trump administration—this tall, 30-foot wall with the anti-climb portion on it. Here is where the construction stopped. It was all the way through here, and then there was a gap, and then they had started another section here. They were getting ready to be able to put up the other sections, but they had to stop.

The Biden administration has now announced that they are going to close the gaps. I hope you don't miss it. They have announced the gaps are closed. Can you see this tiny, little picket fence on the bottom here? Probably not. This tiny, little picket fence that is at the bottom, that is what they say is "close the gaps." So it is no longer just open. They have a tiny, little decorative fence there, and that is their announced "we have closed the gap."

That is not going to deter anyone. They know it full well. It is not designed to deter anyone. It is designed to allow the administration to say, "We closed the gap," and hope no one looks at it because that gap will fulfill exactly what it is designed to fulfill; that is, to allow people in, not keep people out.

That doesn't help the Border Patrol. And they know it because it is not designed to be able to help the Border Patrol, and they know it.

Federal courts require the Biden administration to put in place what was a Trump policy before dealing with those individuals coming to seek asylum in the United States. It is called MPP. Some people call it "Remain in Mexico." This policy basically said, if you want to be able to come into the country, you had to pause, get in line, register so we know who you are. We would set up an orderly process, and then you would have to stay in the border region until it was time for your hearing to occur. There was a dramatic drop in individuals who were illegally crossing our border because they knew

they wouldn't automatically get in—what is called catch and release—that they wouldn't just come across, be released into the country, and wait 2 years until the hearing. Two years, that is what it used to be, to be able to wait until the hearing, until they shifted to the "Remain in Mexico" policy, and they said you have to stay here in the border region until it is time for your hearing. Within months they would come forward, they would get their hearing and get to make their determination, whether they fulfilled the asylum or not.

The Federal courts have said to the Biden administration: You have to put that policy back in place. So after months of delay, they have agreed to do it. It is one of the places I wanted to stop in and see.

This is an overview of the Brownsville location for the "Remain in Mexico" policy. This overview shows the setup that they have created there in Brownsville to do the hearings. There is an intake area for processing, a gathering area, a medical area. There are six courtrooms that are set up. The courtrooms that are set up are all set up as large courtrooms where up to 22 different defendants could be here with their attorneys. All the courtrooms have videoconferencing set up as a full-on courtroom for that location. There are, in each location, 120 individual office spaces set up—120—where individuals that had illegally crossed the border could meet with their lawyer. So 6 courtrooms, 120 meeting spaces, all the ancillary space—this is a massive complex.

When I was down there last week, they have, so far, handled three people—three—and they weren't sure how many they were going to handle this week. Why? Because on the "Remain in Mexico" policy—MPP, whatever you want to be able to call it—they have created a system with so many exceptions in it that they could tell the Federal courts, "Yes, we are doing it," but, in reality, they are not—realizing that this month they have had about 45,000 people illegally cross the border in this zone just in January, but only 3 they made eligible to go through this process, of the 45,000.

Why? Well, they made a whole set of stipulations. They said: If you come in a family group, you are not eligible to come in here. If you declare that you have a medical issue of any type, no matter how minor it may be, you are not eligible to be able to go through this program. If you are LGBT, you are not eligible to be able to go through this program. If you are 75 years or older, you are not eligible to be able to go through this program. If you are Nicaraguan, you are not eligible to go through this program. If you are Venezuelan, you are not eligible to go through this program.

Do you get the hint? They set so many criteria up to be able to list out—no, no, no, no, no, no—that the poor three people who were left who

didn't fit in those categories, they are going through. By the way, each person is given 24 hours with their lawyer before they actually have to go through this process, so counsel could give them the full list of all the items that they could select and say: If you meet any of the criteria, verbally, if you just say you meet any of these criteria, then you are out. And what does "you are out" mean? You are released into the United States, and you await your hearing.

Remember when I said that during the Trump administration those hearings would take up to 2 years before you got to an asylum hearing? Well, when I met with DHS officials this week, it is not 2 years anymore; it is now 6 years. You illegally cross the border, you get a paper, they release you into the country, you get on a bus or on a plane, literally go anywhere you want to go in the country, and set a date 6 years from now to show up at your court hearing. That is on average, by the way. Some are longer than that.

Now, you tell me, what happens if someone illegally crosses the border, they are processed within 48 hours, given a document that says you can be here 6 years to go anywhere you want to go in the country—what do you think they are going to do when they pick up their cell phone? I will tell you what is happening. They are texting a family member back home. They are texting friends back home and saying: I got in, and here is how I did it. Come join me.

And they are—2 million people last year. And the response so far has been decorative fencing, what they actually call guardrails in the area, and empty courtrooms.

By the way, this was the middle of the day when I was there—empty courtrooms with no one being processed, all so they can say they did something.

American taxpayers paid millions of dollars for this setup so they could say they are doing something when they are actually doing nothing, getting the results exactly as they planned.

Oh, but, of course, everyone is being required to be vaccinated correctly before they reach the country. Of course, everyone is being required to be vaccinated, except they are not.

If you are a legal green card holder, you are required to be vaccinated. President Biden is trying to vaccinate everyone in private businesses, in the Federal workforce, Federal contractors. Members of the military are being kicked out of the military this week if they are not vaccinated. Oh, but if you cross the border illegally, you are given the option whether you want a vaccine or not. It is offered to you for free, but it is not mandated; it is voluntary.

What is the result? Well, some of the results are pretty obvious. The numbers are skyrocketing. As I showed you before, these are record numbers of individuals crossing the border illegally. That is seeable.

Let me tell you what is not seeable at this point. The drug cartels in Mexico are getting richer and richer and richer. They are moving record amounts of drugs across our border, making an incredible amount of money for the cartels, continuing to strengthen those drug cartels on the border. But each of the individuals who cross our southern border also pay a fee to the cartels—each of them.

You don't cross the southern border into the United States without crossing through one of the cartel areas, and each one of them has to pay. It is somewhere around \$4,000 to \$30,000 per person to be able to cross through Mexico and into the United States—\$4,000 if you are from Guatemala; \$30,000 if you are from China.

And none of us should be surprised.

Just last year, people from more than 100 countries crossed into the United States, that we picked up and interdicted, illegally—more than 100 countries. This common conversation about, well, it is all folks from Central America—there are a lot of folks from Central America coming, but it is people from over 100 countries, including those five Syrians who were picked up just last week.

Do some rough math. If people pay between \$4,000 and \$30,000 a person and there were 2 million people who crossed illegally last year that we know of, that is \$10 billion paid to the cartels—\$10 billion. And our open borders are allowing the cartels to rake in that kind of cash.

When I visited with the Border Patrol and got a chance to be able to talk to them, their morale is awful, as you can imagine. They are doing their job. They are busting it every day, but they are frustrated. They are frustrated at the policies that they are having to enforce, when they are used to being law enforcement folks enforcing our southern border, and now, they are hotel check-in staff who are just greeting people at the border, processing them, and releasing them into the country.

That is not what they signed up for. They signed up to protect our country, and, literally, they cannot. In this case, law enforcement is handcuffed, and the criminals are released. It shouldn't be that way, and they know it.

Usually, October, November, December, and January are lower months—not so this time. They are exhausted from a record amount of illegal crossings last year, and they were hoping to get a bit of a break. But with the policies in place, it didn't matter how cold it is. People are still coming.

On top of all of that, here is what else happened last month, just one example. This is a Border Patrol vehicle that had just interdicted a group of folks at the border. I don't know whether you can see it or not, but that is a giant bullet hole in the front of it, and that is another bullet hole in it, and that is another bullet hole right behind the passenger window. By the

way, at this particular moment, they had actually already picked somebody up, and they were sitting in that back seat.

The Border Patrol every day risk their lives to be able to enforce the law. And for this group of folks they pick up, within hours, they are released, and they are somewhere in the country waiting on a court hearing 6 years from now, if they ever show up for the hearing.

Do you want to know how frustrated this group of law enforcement is? They risk their lives for nothing because this is the policy of the Biden administration.

This is not an accident. This is what it has brought. As they run through, tonight, the heavy brush, along a very cold Texas-Mexico border, they will pick people up, and they will faithfully do their job because they have over and over again, only to have a policy that cuts them loose.

How long?

Listen, Border Patrol agents have families too. Their families matter as well. And all this talk about we are going to be compassionate to the families of people who are illegally crossing the border—what we are really doing as a policy is enriching the cartels in Mexico; encouraging people to make a very dangerous journey; releasing them into the country with not a legal status, to live in the shadows of our Nation; and putting law enforcement at risk for their life.

This should not be.

And while the country just seems to move on and ignore the chaos at our border, this is still what is going on tonight, and it needs to stop. This administration has the ability to change policy and to change direction on our southern border, and they are not. They are not doing it on purpose, and the results are chaos. I wish I were wrong on this.

There is something called title 42. Title 42 means we have a COVID epidemic happening. OK. And under a COVID epidemic or under any kind of epidemic, law enforcement is able to take some individuals, single adults from certain countries, and turn them around and send them right back in and say: You can't come in because of the epidemic.

We have enormous numbers of those individuals coming, and right now some of those individuals from some of those countries are being turned around, thankfully.

And when I have asked DHS: What is your plan for those individuals once the COVID epidemic ends? And it does, God willing, end one day. When it ends, what is your plan?

We are now 13 months into this administration, and they still have no plan. That is not just my guess; that is my point-blank asking: What is the plan to turn people around once the COVID epidemic ends for that small group of folks that you are turning around?

They don't have one. It doesn't take 13 months to be able to determine what you are going to do. That just tells me the plan is, when the COVID epidemic ends, those folks get in too.

When does this end? Who is going to stand up and help us?

Just enforce the laws of our country. I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 9:32 p.m., adjourned until Thursday, February 3, 2022, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

STEPHANIE DAWKINS DAVIS, OF MICHIGAN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE HELENE N. WHITE, RETIRING.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHRISTOPHER T. DONAHUE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DOUGLAS F. STITT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DOUGLAS A. SIMS II

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 7064:

To be major

SCOTT F. M. DUNCAN

CONFIRMATIONS

Executive nominations confirmed by the Senate February 2, 2022:

THE JUDICIARY

RUPA RANGA PUTTAGUNTA, OF THE DISTRICT OF COLUMBIA, TO BE ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

KENIA SEOANE LOPEZ, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

SEAN C. STAPLES, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

DEPARTMENT OF DEFENSE

GABRIEL CAMARILLO, OF TEXAS, TO BE UNDER SECRETARY OF THE ARMY.

ANDREW PHILIP HUNTER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SHELLY C. LOWE, OF ARIZONA, TO BE CHAIRPERSON OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES FOR A TERM OF FOUR YEARS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JEFFREY W. NELSON

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARK A. CUNNINGHAM

COL. VALERIE A. JACKSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. KARL D. PIERSON

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STEPHEN L. DAVIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHARLES R. HAMILTON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. FRANK D. WHITWORTH III

IN THE AIR FORCE

AIR FORCE NOMINATION OF KODY A. WILSON, TO BE MAJOR.

AIR FORCE NOMINATION OF MATTHEW V. CHAUVIERE, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF JASON W. MEDSGER, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATION OF DAVID S. LIDWELL, TO BE COLONEL.

ARMY NOMINATION OF MICHAEL P. HOFFMAN, TO BE MAJOR.

ARMY NOMINATION OF JASON C. ATKINSON, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF THOMAS M. MAGILL, TO BE COLONEL.

ARMY NOMINATION OF JONATHAN T. BUTLER, TO BE MAJOR.

ARMY NOMINATION OF TAMAR N. WILSON, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JOSEPH B. BULWINKLE, TO BE COLONEL.

ARMY NOMINATION OF KURTIS S. MACIOROWSKI, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF DOMINIC C. SEWELL, TO BE MAJOR.

ARMY NOMINATION OF ANDREW M. WADE, TO BE MAJOR.

ARMY NOMINATION OF LATASHA N. TURNER, TO BE MAJOR.

ARMY NOMINATION OF BRANDI N. ATCHISON, TO BE MAJOR.

ARMY NOMINATION OF MARK. P. O'NEILL, JR., TO BE COLONEL.

ARMY NOMINATION OF JONATHAN B. LUNDY, TO BE COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF ANTHONY C. SICILIANO, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH RAFAEL E. MASALBALADEJO AND ENDING WITH JEREMY J. WILLOUGHBY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 5, 2022.

MARINE CORPS NOMINATIONS BEGINNING WITH EDDIE M. HOWLAND AND ENDING WITH BILLY J. QUINN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 5, 2022.

MARINE CORPS NOMINATIONS BEGINNING WITH ANDREW M. ADKINS AND ENDING WITH JOSHUA E. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 5, 2022.

MARINE CORPS NOMINATIONS BEGINNING WITH IAN M. COLE AND ENDING WITH CHRISTOPHER T. SILLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 5, 2022.

MARINE CORPS NOMINATIONS BEGINNING WITH ELI J. BRESSLER AND ENDING WITH JONATHAN R. CAPE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 5, 2022.

MARINE CORPS NOMINATION OF CHRISTOPHER M. DILPORT, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF JOHN F. BATHON, TO BE MAJOR.

MARINE CORPS NOMINATIONS BEGINNING WITH CHRISTOPHER L. JOHNSON AND ENDING WITH BRAD C. SWANSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 5, 2022.

MARINE CORPS NOMINATIONS BEGINNING WITH SERGIO ABREU AND ENDING WITH CHRISTOPHER J. REQUEJO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 5, 2022.

MARINE CORPS NOMINATION OF TERMAINE R. BABERS, TO BE MAJOR.

MARINE CORPS NOMINATION OF VICENTE FREGOSO, TO BE MAJOR.

MARINE CORPS NOMINATIONS BEGINNING WITH MICHAEL E. CATES AND ENDING WITH ANDREW L. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 5, 2022.

MARINE CORPS NOMINATIONS BEGINNING WITH DARRYL L. ELLIS AND ENDING WITH WILLIAM J. MUELLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 5, 2022.

IN THE NAVY

NAVY NOMINATION OF ANASTASIA S. ABID, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF MARIYA V. GEORGE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF TAKERU A. TAJIRI, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF DAWN C. ALLEN, TO BE CAPTAIN.

NAVY NOMINATION OF DAVID J. FAUSTE, TO BE LIEUTENANT COMMANDER.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 2121(E):

To be rear admiral (lower half)

CAPT. WAYNE R. ARGUIN
CAPT. DAVID C. BARATA
CAPT. JOANN F. BURDIAN
CAPT. JOSEPH R. BUZZELLA
CAPT. REBECCA E. ORE
CAPT. MICHAEL PLATT
CAPT. SEAN P. REGAN
CAPT. JOHN C. VANN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be rear admiral (lower half)

CAPT. FRANKLIN H. SCHAEFER
CAPT. TIFFANY G. DANKO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14 U.S.C., SECTION 2121(D):

To be rear admiral

REAR ADM. (LH) CHRISTOPHER A. BARTZ
REAR ADM. (LH) MARK J. FEDOR
REAR ADM. (LH) SHANNON N. GILREATH
REAR ADM. (LH) JONATHAN P. HICKEY

COAST GUARD NOMINATION OF PETER F. BOSMA, TO BE CAPTAIN.